

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

JAMES CLARK HENDERSON,	:	
	:	
Plaintiff	:	
	:	
VS.	:	CIVIL ACTION 5:11-CV-165-MTT-CHW
	:	
SANDRA RAMSEY &	:	
PUTNAM COUNTY JAIL,	:	
	:	
Defendants	:	
_____	:	

ORDER DISMISSING CASE

Plaintiff **JAMES CLARK HENDERSON**, a prisoner at Morgan County Jail in Madison, Georgia, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983.¹ He also sought leave to proceed without prepayment of the filing fee or security therefor pursuant to 28 U.S.C. § 1915(a).

In an Order dated May 10, 2011, the Court granted Plaintiff’s application to proceed *in forma pauperis*. In the same Order, the Court ordered Plaintiff to pre-pay an initial partial filing fee of \$40.25. Plaintiff was given fourteen (14) days from the date of receipt of the May 10, 2011, Order to pay the \$40.25. Plaintiff failed to pre-pay the partial fee within the time allotted. The Court then ordered Plaintiff to show cause, within fourteen days, why his case should not be dismissed for failure to pay the fee. Plaintiff was further ordered to show what steps he took to comply with the Court’s Order and was notified that failure to respond would result in dismissal of his lawsuit.

¹ After filing this Complaint, Plaintiff filed a related suit in the Athens division of this Court. That case, 3:11-CV-91-CAR, was consolidated with the present case on July 15, 2011.

A week later, Plaintiff responded to the Court's Order, but he still failed to pay the \$ 40.25 partial filing fee. He likewise failed to provide any explanation as to why he had not yet paid his initial partial filing fee or show what steps had been taken to comply with the Court's Order. Nonetheless, the Court allowed Plaintiff one final opportunity to pay his initial partial filing fee, and he was given seven days from the date of the July 8, 2011, Order to do so. Plaintiff was again warned that failure to pay the fee within the time frame would result in the dismissal of this lawsuit.

As of this date, the Court still has not received any payment from Plaintiff. Nor has Plaintiff provided any explanation as to why he has not yet paid his initial partial filing fee. Because of Plaintiff's repeated failure to comply with the Court's instructions, Plaintiff's case is hereby **DISMISSED** without prejudice.

SO ORDERED, this _____ day of July, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

jlr