

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

BARRY INGRAM,)
)
 Plaintiff,)
)
 v.) CV 114-188
)
 ATLANTA DEPARTMENT OF)
 CORRECTIONS, et al.,)
)
 Defendants.)

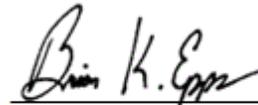
ORDER

Plaintiff, an inmate at Augusta State Medical Prison in Grovetown, Georgia, is proceeding *pro se* and requested permission to proceed *in forma pauperis* (“IFP”) in the above-captioned case brought pursuant to 42 U.S.C. § 1983. On October 24, 2014, the Court directed Plaintiff to return his Prisoner Trust Fund Account Statement and Consent to Collection of Fees forms within thirty days and advised Plaintiff that all prisoners, even those proceeding IFP, must pay the filing fee of \$350.00 in full. 28 U.S.C. § 1915(b)(1). Plaintiff was cautioned that failure to respond would be an election to have this case voluntarily dismissed without prejudice. (See doc. no. 6.) When the time to respond had passed, and Plaintiff had not submitted either form as required by the October 24th Order, the Court recommended dismissal of the case without prejudice in a Report and Recommendation (“R&R”) dated December 8, 2014. (Doc. no. 7.)

However, after entering the R&R, Plaintiff submitted a motion for an extension to submit the forms, signed by Plaintiff on December 2, 2014 and filed by the Clerk of Court on December 10, 2014. (See doc. no. 9.) Plaintiff states that he has been attempting to get the account

statement signed by the correct prison official. (Id.) Accordingly, and in an abundance of caution, the Court hereby **VACATES** the December 8th R&R, (doc. no. 7), and **GRANTS** Plaintiff's request for an extension. Plaintiff shall have until Wednesday, December 24, 2014, to return his IFP papers as instructed in the Court's October 24th Order. If Plaintiff fails to comply with the instructions set forth in the October 24th Order by the extended deadline, the Court will presume that Plaintiff desires to have this case voluntarily dismissed and it will dismiss this action, without prejudice.

SO ORDERED this 11th day of December, 2014, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA