

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

DIAIRIS KENDRAS ROBINSON,)
)
Plaintiff,)
)
v.) CV 317-045
)
KEELY PITTS, Assistant District Attorney,)
Individually and in her Official Capacity;)
JUDGE BRIAN SELPH, Individually and in)
his Official Capacity; and ROBERT)
JOHNSON, Chief Investigator, Individually)
and in his Official Capacity,)
)
)
Defendants.)

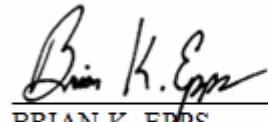
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Diairis Kendras Robinson, an inmate at Coffee County Jail in Douglas, Georgia, commenced the above-captioned civil rights case *pro se* concerning events alleged to have in Telfair County, Georgia, and requested permission to proceed *in forma pauperis* (“IFP”). (Doc. no. 2.) On August 17, 2017, 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). (Doc. no. 5.) Plaintiff was cautioned that failure to respond would be an election to have this case voluntarily dismissed without prejudice. (See id.) The time to respond has passed, and Plaintiff has not submitted the documents required

by the Court's August 17th Order, nor has he provided the Court with any explanation why he has not complied.

Plaintiff cannot proceed IFP unless he submits the requisite Trust Fund Account Statement and consents to the collection of the entire \$350.00 filing fee in installments. Wilson v. Sargent, 313 F.3d 1315, 1319, 1321 (11th Cir. 2002) (citing 28 U.S.C. § 1915). Plaintiff has been warned that failing to return the necessary IFP papers would be an election to have his case voluntarily dismissed. As Plaintiff has neither fulfilled the requirements for proceeding IFP, nor paid the filing fee, the Court **REPORTS** and **RECOMMENDS** this case be **DISMISSED** without prejudice and this civil action **CLOSED**.

SO REPORTED and RECOMMENDED this 4th day of October, 2017, at Augusta, Georgia.



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