

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

CLEO JERRY PLEMMONS,
Plaintiff,

v.

UNKNOWN NAMES OF EYE CLINIC
EMPLOYEES AT BOISE, ID VA,

Defendants.

Case No. 1:14-cv-00072-BLW

**MEMORANDUM DECISION AND
ORDER**

As indicated in an earlier Order, the Clerk of Court conditionally filed Plaintiff's Complaint on February 28, 2014, due to his request to proceed in forma pauperis. (Dkt. 3.) However, Plaintiff's application to proceed in forma pauperis was incomplete and thus did not permit the Court to determine whether Plaintiff was qualified to proceed without prepayment of the filing fee. *See United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981) (requiring that the affidavit "state the facts as to affiant's poverty with some particularity, definiteness and certainty").

Accordingly, on March 5, 2014, Magistrate Judge Dale ordered Plaintiff to submit a complete response to all application form questions or pay the filing fee by April 4, 2014. (Dkt. 6.) Plaintiff failed to pay the filing fee or submit a complete application form, and the case was reassigned to the undersigned District Judge for disposition. Under these

circumstances, the case will be dismissed.

ORDER

IT IS ORDERED:

1. Plaintiff's Complaint is **DISMISSED**, and this case shall be closed.

DATED: **July 2, 2014**



B. Lynn Winmill

B. LYNN WINMILL
Chief U.S. District Court Judge