

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS**

ROSA A. KEMPER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 10-1061
)	
JOHN E. POTTER, Postmaster)	
General, and MONICA MCCOY,)	
Postmaster of Peoria,)	
)	
Defendants.)	

ORDER

On March 12, 2010, Plaintiff Rosa A. Kemper (“Kemper”) filed a *pro se* Complaint against Defendants John E. Potter and Monica McCoy, a Motion for Leave to Proceed in Forma Pauperis, and also a Motion to Appoint Counsel. In her Complaint, Kemper alleged that she was fired from her employment. On March 15, 2010, Magistrate Judge John Gorman entered a text order noting that the Complaint failed to allege any statutorily protected status or activity that may have contributed to the adverse action of being fired, and directing Kemper to file an amended complaint because the original complaint was legally deficient on its face. Kemper filed her Amended Complaint which, on March 30, 2010, the Court again determined was facially deficient and again directed her to properly amend the complaint. Also on March 30, 2010, the Court denied Kemper’s Motion to Appoint Counsel and Motion for Leave to Proceed in Forma Pauperis. On April 12, 2010, Kemper filed her second amended Complaint and the Court subsequently noted that she had not yet paid the filing fee or renewed her Motion to Proceed in Forma Pauperis. The Court directed her to do so by June 18, 2010, and she was

instructed that failure to do so might result in the dismissal of her case. On June 18, 2010, Kemper filed a renewed Motion for Leave to Proceed in Forma Pauperis. On June 21, 2010, the Court entered a text order denying Kemper's Motion to Proceed in Forma Pauperis because her detailed application showed that her allegations of inability to pay the costs of the proceedings were untrue. The Court directed her to submit her \$350 filing fee on or before July 12, 2010, otherwise her Complaint might be dismissed for failure to prosecute. On July 14, 2010, the Court entered another text order noting that Kemper had not timely submitted her \$350 filing fee, that she must submit the fee by July 28, 2010, and that failure to do so would result in dismissal of her Complaint for failure to prosecute. This deadline has now passed, and the filing fee remains unpaid.

Accordingly, the Court now finds that Kemper's Complaint is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute. This matter is now **TERMINATED**.

ENTERED this 12th day of August, 2010.

s/Michael M. Mihm
Michael M. Mihm
United States District Judge