

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<p>MONDREA VINNING,</p> <p style="text-align: right; padding-right: 20px;">Plaintiff,</p> <p>vs.</p> <p>WARDEN HULICK, DR. FIENERMAN, and PAM GRUBMAN,</p> <p style="text-align: right; padding-right: 20px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. 08-CV-0405-MJR-DGW</p>
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MEMORANDUM AND ORDER

REAGAN, District Judge:

Vinning, an inmate at Menard Correctional Center, filed the above-captioned civil rights action on June 4, 2008 (Doc. 1). At that time, he also filed a motion for leave to proceed *in forma pauperis* (Doc. 2). On March 11, 2009, the Court completed its threshold review under 28 U.S.C. § 1915A, finding that Vinning’s complaint contained several unrelated claims, and dismissed Counts 2 through 5 under *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007) and **FED.R.CIV.P. 20(a)(2)**. That leaves Count 1, an allegation that the Defendants were deliberately indifferent to his serious medical needs, as the only remaining claim in this action (Doc. 6).

At that time, the Court also granted Vinning’s motion for leave to proceed *in forma pauperis*, despite the fact that he has accumulated “three strikes,” because Count 1 includes allegations indicating that Plaintiff may be in imminent danger of serious physical harm (Doc. 5). Accordingly, the Court directed Vinning to pay a partial filing fee of \$20.64, with monthly payments thereafter until the entire \$350.00 filing fee is paid. The Court directed the Trust Fund Officer at the Menard Correctional Center to make these payments from Vinning’s prison trust fund account.

On March 31, 2009, the Court received a letter from Randall Stauffer, Legal Counsel for the Illinois Department of Corrections (Doc. 8). Therein, he states that the Menard Correctional Center cannot forward payments as directed, because Vinning revoked his power of attorney on September 23, 2007. Stauffer also attached written copies confirming that Vinning took this action.

In light of this information, Vinning faces dismissal of his action for failure to pay the required filing fee. However, Vinning may avoid this result by returning one “Consent Form -- *In Forma Pauperis* Proceedings” to the Clerk of this Court in the envelope provided, by **May 1, 2009**. The Clerk is **DIRECTED** to provide two copies of the appropriate form to Vinning with his copy of this Order, along with a pre-addressed return envelope. Failure to provide the Department of Corrections with this authorization shall be grounds for dismissal of this case. **FED.R.CIV.P. 41(b); see generally *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).**

IT IS SO ORDERED.

DATED this 3d day of April 2009.

s/ Michael J. Reagan _____
Michael J. Reagan
United States District Judge