Ducey v. Shemonic et al Doc. 3

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

SCOTT R. DUCEY, Inmate #K64368,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**CIVIL NO. 08-cv-855-GPM**
	)	
L. SHEMONIC, *et al.*,	)	
	)	
Defendants.	)	

ORDER OF DISMISSAL

MURPHY, District Judge:

Plaintiff, a prisoner proceeding *pro se*, filed a civil action pursuant to 42 U.S.C. § 1983. In a letter from the Clerk dated December 4, 2008, Plaintiff was advised:

> Your case has been opened without payment of the filing fee or the filing of a Motion to Proceed In Forma Pauperis. If payment (either $350.00 for a civil case, or $5.00 for a habeas corpus petition), or a Motion to Proceed In Forma Pauperis is **NOT** received in our office **within thirty (30) days** from the date of this letter, the case will be submitted to the Judicial Officer for an order to be entered dismissing this case.

See Doc. 2 (emphasis in original). That thirty-day period passed and Plaintiff did not pay the $350 filing fee or file a properly supported motion for leave to proceed *in forma pauperis*. *See* 28 U.S.C. §§ 1914, 1915.

IT IS ORDERED that this case is **DISMISSED** for failure to pay the filing fee. The Clerk shall **CLOSE THIS CASE**.

IT IS SO ORDERED.

DATED: 01/13/09

s/ *G. Patrick Murphy*
G. Patrick Murphy
United States District Judge

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