Norfleet v. Walker et al Doc. 5

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

MARC NORFLEET, Inmate #R57214,)	
Plaintiff,)	
vs.)	CIVIL NO. 09-cv-347-JPC
ROGER E. WALKER, JR., et al.,)	
Defendants.)	

MEMORANDUM AND ORDER

GILBERT, District Judge:

Plaintiff, a prisoner proceeding *pro se*, has filed an Application to Proceed In Forma Pauperis pursuant to 28 U.S.C. § 1915 together with a civil action pursuant to 42 U.S.C. § 1983. However, Plaintiff has not submitted a certified copy of his prison trust fund account statement for the sixmonth period immediately preceding the filing of the complaint as required by § 1915(a)(1). In fact, he states that prison officials refuse to provide him with a print-out.

IT IS HEREBY ORDERED that Plaintiff shall submit, within THIRTY (30) DAYS of the date of the entry of this order, a certified copy of his prison trust fund account statement for the sixmonth period immediately preceding the filing of the complaint. Plaintiff is ADVISED that in the event he has been transferred among institutions during this six-month period, it is Plaintiff's responsibility to obtain a copy of his prison trust account statement from each such facility and to forward it to the Court. Plaintiff is FURTHER ADVISED that his obligation to pay the filing fee for this action was incurred at the time the action was filed; such an obligation will exist whether or not Plaintiff is granted leave to proceed *in forma pauperis*. 28 U.S.C. § 1915(b)(1); *see also*

Lucien v. Jockisch, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS FURTHER ORDERED that upon conclusion of this thirty-day period, should

Plaintiff fail to comply with this order, this case will be closed for failure to comply with an order

of this Court. 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).

The Clerk is **DIRECTED** to send a courtesy copy of this order to the Warden at Lawrence

Correctional Center to facilitate timely compliance.

IT IS SO ORDERED.

Dated: June 2, 2009.

s/ J. Phil Gilbert

U. S. District Judge

- 2 -