

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

CARL D. RUSS,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 09-cv-868-MJR
)	
TODD BITTLE, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

This matter is before the Court *sua sponte*. On October 14, 2009, the Clerk of Court received a § 1983 civil rights complaint submitted by Plaintiff, an inmate at the Shawnee Correctional Center, seeking relief against the prosecuting attorney in his criminal case, his court-appointed attorney, and the Illinois Department of Children and Family Services (DCFS). Plaintiff, however, did not submit either the required \$350 filing fee or a motion to proceed *in forma pauperis*. On that same date - and acting pursuant to Plaintiff's request - the Clerk of Court mailed Plaintiff a form motion to proceed *in forma pauperis*. Further, Plaintiff was warned that if he failed to pay the full filing fee or submit a proper motion to proceed *in forma pauperis* his complaint would be dismissed. More than six months have passed since Plaintiff was instructed to pay the filing fee or submit a motion to proceed *in forma pauperis*, but Plaintiff has still not submitted either.

Accordingly, this complaint is **DISMISSED** without prejudice due to Plaintiff's failure to either pay the full filing fee or to submit a motion to proceed *in forma pauperis* as previously

instructed. The Clerk of Court is **DIRECTED TO CLOSE THIS CASE**. All pending motions are **DENIED** as moot.

IT IS SO ORDERED.

DATED this 26th day of April, 2010.

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