Baker v. Parker et al Doc. 5

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

BRANDON BAKER,	)
Plaintiff,	)
vs.	) CIVIL NO. 09-cv-983-JP
LT. PARKER, 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).

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).

IT IS SO ORDERED.

Dated: December 7, 2009.

s/ J. Phil Gilbert

U. S. District Judge

- 2 -