

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WILLIAM A. MALONE,

Plaintiff,

v.

RANDY DAVIS and C/O WHITEHEAD,

Defendants.

Case No. 13-cv-126-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court for case management purposes. On July 1, 2013, Magistrate Judge Philip M. Frazier ordered plaintiff William A. Malone to pay on or before September 5, 2013, the \$82.27 initial partial filing fee assessed at the outset of this case or to demonstrate that he has no assets and no means to pay that sum (Doc. 16). On August 13, 2013, Malone paid \$1.22 toward that fee. On November 14, 2013, the Court extended that deadline to December 6, 2013, and warned Malone that if he did not pay the entire balance of the fee by then, the Court would dismiss this case without prejudice for failure to comply with 28 U.S.C. § 1915(b)(1). As of today, Malone has paid a total of \$1.22 toward the initial partial filing fee in this case. Accordingly, as it warned it would, the Court **DISMISSES** this case **without prejudice** for failure to comply with 28 U.S.C. § 1915(b)(1) and **DIRECTS** the Clerk of Court to close this case.

IT IS SO ORDERED.

DATED: January 21, 2014

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE