

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

ROBERT WESLEY,)	
# K-63051,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 14-cv-01131-MJR
)	
KORUST and)	
MENARD CORRECTIONAL CENTER,)	
)	
Defendants.)	

NOTICE OF IMPENDING DISMISSAL

REAGAN, Chief Judge:

On October 20, 2014, Plaintiff Robert Wesley filed a document in the Central District of Illinois that was construed as a complaint brought pursuant to 42 U.S.C. § 1983 (Doc. 1). In it, Plaintiff claims that officials at Menard Correctional Center (“Menard”) retaliated against him by ignoring his grievances aimed at correcting an error in his sentence calculation (Doc. 1). In connection with this claim, Plaintiff sues Menard and one of its counselors.

This case was opened in the Central District without payment of a filing fee or the filing of a Motion and Affidavit to Proceed in District Court Without Prepaying Fees or Costs (“IFP Motion”). On October 21, 2014, the Central District entered a text order requiring Plaintiff to pay the full filing fee of \$400.00 or to file an IFP Motion within twenty-one (21) days (i.e., by November 11, 2014). The Court indicated that failure to comply with the order without good cause would result in dismissal of the action without prejudice.

Also on October 21, 2014, the Central District transferred this case to the Southern District (Doc. 2). On that date, the Clerk of Court in this District sent Plaintiff a letter,

reminding him of his obligation to pay the full \$400.00 filing fee or to file an IFP Motion (Doc. 3). The Clerk set a new deadline of November 20, 2014, for taking action. Included with this letter was a form IFP motion. Plaintiff was clearly warned that failure to pay the full filing fee or to file an IFP motion by November 20, 2014, would result in dismissal of this case (*Id.*). To date, Plaintiff has taken no action. This matter cannot linger indefinitely.

Plaintiff is hereby **ORDERED** to provide the Court with a filing fee of \$400.00 or a properly completed IFP Motion on or before **December 9, 2014**. If Plaintiff files an IFP Motion, the Court must review Plaintiff's trust fund account statement for the 6 month period immediately preceding the filing of this action. Thus, Plaintiff must have the Trust Fund Officer at his facility complete the attached certification and provide a copy of his trust fund account statement (or institutional equivalent) for the period 4/1/2014 to 10/21/14. This information should be mailed to the Clerk of Court at the following address: United States District Court – Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois 62201. The Clerk has already provided Plaintiff with a copy of the Motion and Affidavit to Proceed in District Court Without Prepaying Fees or Costs, along with Doc. 3, and will not need to send another IFP Motion form at this time.

Plaintiff is also **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his address. The Court will not independently investigate Plaintiff's whereabouts. This shall be done in writing and not later than 7 days after a transfer or other change in address occurs.

Failure to comply with this Order shall result in dismissal of this action for want of prosecution and/or for failure to comply with a court order under Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

DATED: November 25, 2014

s/ MICHAEL J. REAGAN
Chief District Judge