

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

**COREY TRAINOR, # B-51552,
MICHAEL TURNER, # K-51650,
and KEVEREZ TANZY, # B-76690,**

Plaintiffs,

v.

No. 17-cv-00627-DRH

**LARRY GEBKE,
ROBERT C. MUELLER,
MONICA CHRISTIANSON,
and OFFICER ROVENSTEIN,**

Defendants.

MEMORANDUM AND ORDER

HERNDON, District Judge:

This matter is before the Court for a status review. On September 26, 2017, the Court ordered co-Plaintiff Tanzy, who was released from prison after this action was filed, to provide a copy of his prisoner trust fund statement from Centralia Correctional Center, for the period from Dec. 14, 2016 - June 14, 2017 (representing the 6-month period before this joint action was filed). (Doc. 29). Tanzy was provided with another blank form for the prison trust fund officer to certify his trust fund statement. The September 26, 2017, order represented the fourth time that Tanzy was notified of the requirement to provide his trust fund statement, which is necessary for the Court to determine whether he is entitled to proceed *in forma pauperis* ("IFP") in this case, and to calculate the amount of his initial partial filing fee payment. See 28 U.S.C. § 1915(a)(2); (b)(1). Tanzy was

warned that if he failed to submit the trust fund statement by October 16, 2017, he would be dismissed from this action for failure to comply with an order of this Court. *See* FED. R. CIV. P. 41(b).

Plaintiff's October 16 deadline to submit the trust fund statement has come and gone, and he has failed to respond in any way.

IT IS THEREFORE ORDERED that **KEVEREZ TANZY** is **DISMISSED** as a co-Plaintiff in this action, for failure to comply with an order of this Court. FED. R. CIV. P. 41(b).

IT IS FURTHER ORDERED that Tanzy's motions for leave to proceed IFP (Docs. 6, 25, and 28) are **DENIED**.

Despite his dismissal from the action, Tanzy's filing fee shall remain due and payable. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467-68 (7th Cir. 1998); *Newlin v. Helman*, 123 F.3d 429, 434 (7th Cir. 1997).

The Clerk is **DIRECTED** to send a copy of this order to Trainor, Turner, and Tanzy.

IT IS SO ORDERED.

 Digitally signed by
Judge David R. Herndon
Date: 2017.10.26
14:29:39 -05'00'



UNITED STATES DISTRICT JUDGE