

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE**

JERIMEY LESLIE

PLAINTIFF

v.

CIVIL ACTION NO. 3:08CV-P234-S

GRAYSON COUNTY DETENTION CENTER

DEFENDANT

MEMORANDUM OPINION

Plaintiff Jerimey Leslie initiated this action by filing a handwritten letter with this Court. On May 2, 2008, the Clerk of Court issued a deficiency notice to Plaintiff directing him to fill out a court-supplied form for filing a civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff failed to comply. The Court, therefore, entered an Order on July 9, 2008, directing Plaintiff to show cause why the instant action should not be dismissed, or alternatively, to fill out and file his complaint on a court-supplied form. The Court warned Plaintiff that his failure to comply with this Order within 30 days would result in dismissal of the action and his continued responsibility to pay the entire fee.

Review of the record reveals that Plaintiff has failed to comply with the Court's Order or show cause for said failure. The Court will, therefore, dismiss the action by separate order for failure to comply with a prior order of the Court and for failure to prosecute.

Dismissal of this action, however, does not relieve Plaintiff of his responsibility to pay the requisite filing fee in this action. *In re Alea*, 286 F.3d 378, 381 (6th Cir. 2002); *McGore v. Wrigglesworth*, 114 F.3d 601, 607 (6th Cir. 1997). The obligation to pay the filing fee attaches when a prisoner "brings a civil action." *In re Alea*, 286 F.3d at 381. Accordingly, **the prior**

Order (DN 6) obligating Plaintiff to pay the \$350.00 filing fee in installments remains in full force and effect.

Date:

cc: Plaintiff, *pro se*
4411.005