

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:09CV-P75-H

JA-RON TEAGUE

PLAINTIFF

v.

JOHN ARMSTRONG *et al.*

DEFENDANTS

ORDER

For the reasons set forth in the Memorandum Opinion entered this date, **IT IS ORDERED** that the instant action is **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to comply with a prior Order of this Court and failure to prosecute.

All pending motions are **DENIED as moot**.

The Court further **certifies** that an appeal of this action would not be taken in good faith.

The obligation to pay the filing fee attaches when a prisoner files the complaint, “and [] the subsequent dismissal of the action, even if voluntary, does not negate that obligation.” *In re Alea*, 286 F.3d 378, 381 (6th Cir. 2002). Therefore, the Clerk of Court is **DIRECTED** to open an account for the payment of the filing fee. **IT IS FURTHER ORDERED** that the **Louisville Metro Department of Corrections shall forward the \$350.00 filing fee from Plaintiff Ja-Ron Teague’s inmate account to the Clerk**. Said payment shall be clearly identified by the Plaintiff’s name, Inmate Identification Number, and number assigned to this action. All

payments shall be made to the following address:

Office of the Clerk
United States District Court
Western District of Kentucky
106 Gene Snyder Courthouse
601 West Broadway
Louisville, Kentucky 40202

Date:

cc: Plaintiff, *pro se*
Louisville Metro Department of Corrections, Attention: Inmate Accounts, 400 South Sixth Street
Louisville, KY 40202
Finance, WDKY

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