

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

LARRY RICHARDSON (# 492156)

CIVIL ACTION

VERSUS

JAMES M. LeBLANC, ET AL.

NO. 16-0838-JWD-EWD

RULING

In December 2016, *pro se* Plaintiff, an inmate confined at the Louisiana State Penitentiary (“LSP”), Angola, Louisiana, commenced this proceeding that asserts the alleged violation of his constitutional civil rights pursuant to 42 U.S.C. § 1983. Plaintiff complains that in November, 2016 he sustained a fall from his bunk in a housing unit at LSP because the bunks do not have “safety ladders [sic].” Plaintiff further complains that security officers at LSP have kept him from seeing a physician and have failed to order x-rays of his back.

Pursuant to correspondence dated January 25, 2017 (R. Doc. 2), the Court directed Plaintiff to either pay the Court’s filing fee within twenty-one (21) days or submit a properly completed Motion to Proceed *In Forma Pauperis* and Statement of Account, blank copies of which were attached to the referenced correspondence. The Court’s correspondence further specifically advised Plaintiff that “failure to amend the pleadings or provide the requested information or forms as indicated will result in the dismissal of your suit by the Court without further notice.” *Id.*

A review of the record by the Court reflects that despite notice and an opportunity to appear, Plaintiff has failed to respond appropriately to the Court’s directives and has failed to provide an adequate explanation for his failure to do so.¹ Accordingly, Plaintiff’s action shall be

1 The record reflects that Plaintiff has three times submitted pleadings to the Court through

dismissed, without prejudice, because of his failure to correct the deficiencies of which he was notified and either pay the Court's filing fee or submit a properly completed motion to proceed *in forma pauperis* herein.

Accordingly,

IT IS ORDERED that the above-captioned proceeding be **DISMISSED**, without prejudice, for failure of Plaintiff to correct the deficiencies of which he was notified. Judgment shall be entered accordingly.

Baton Rouge, Louisiana, this 31st day of July, 2017.



JOHN W. deGRAVELLES
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

the regular mail. Whereas the Court accepted Plaintiff's original Complaint for filing, the Court advised Plaintiff at that time that Local Rule 5(e)(1) of this Court provides that pleadings submitted for filing by LSP inmates must be scanned and emailed to the Court by authorized LSP personnel. *See* R. Doc. 2. The Court further advised Plaintiff that future submissions "must be submitted in accordance with Local Rule 5(e)(1)" and, if not, may be returned to Plaintiff unfiled. *Id.* Plaintiff twice thereafter attempted to submit motions to proceed *in forma pauperis* to the Court for filing, but his submissions were repeatedly returned to him unfiled because of his failure to comply with the Rule that mandates electronic filing. *See* R. Docs. 3 and 5. On each such occasion, the Court provided notice to Plaintiff that his submissions could be "re-submitted in accordance with Local Rule 5(e)(1)." *See id.* Notwithstanding, Plaintiff has not done so. Accordingly, the Court does not consider Plaintiff's submissions made by regular mail to be proper filings with the Court or to be responsive to the Court's Orders.