

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

MARLOWE E. PARKER, JR. (#429838)

CIVIL ACTION

VERSUS

WARDEN JODY McJIMPSEY, ET AL.

NO. 17-0032-BAJ-EWD

RULING

On March 31, 2017, the Court entered an Order (R. Doc. 3) granting plaintiff's Motion to Proceed *In Forma Pauperis* in this case and directing plaintiff to pay to the Clerk of Court, within twenty-one (21) days, an initial partial filing fee in the amount of \$ 0.07, "or this action shall be dismissed." The Court's Order specifically advised plaintiff that it was his responsibility to pay the initial partial filing fee and that the prison would **NOT** forward payment of the initial partial filing fee without plaintiff's written authorization. *Id.* Upon plaintiff's failure to comply with the Court's directive, the Court entered a second Order on June 6, 2017 (R. Doc. 4), directing Plaintiff to appear and show cause, in writing, within twenty-one (21) days, why his Complaint should not be dismissed for failure to pay the initial partial fee. The Court's Order further directed Plaintiff to attach to his response copies of his inmate account transaction statements showing all activity in his inmate accounts "for the months of April, 2016 [sic] through the date of Plaintiff's response, including deposits into, withdrawals from and balances in these accounts." *Id.* Finally, the Court's Order advised Plaintiff that a failure to comply with the Order "shall" result in the dismissal of Plaintiff's action without further notice. *Id.*

Despite notice and an opportunity to appear, Plaintiff has failed to comply with the Court's Orders and has failed to provide any explanation for his failure to either pay the Court's initial partial filing fee or provide the documentation requested by the Court reflecting the activity in his inmate accounts during the months following April, 2017. Accordingly, Plaintiff's action shall be dismissed, without prejudice, because of his failure to pay the initial partial filing fee or comply with the Court's Orders.

IT IS ORDERED that the above-captioned proceeding be **DISMISSED**, without prejudice. Judgment shall be entered accordingly.

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



**BRIAN A. JACKSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**