

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>JODIE LOUISE BYRNE,</b>	)	
	)	
<b>Plaintiff</b>	)	
	)	
<b>v.</b>	)	<b>No. 1:23-cv-00460-JAW</b>
	)	
<b>ALLY FINANCIAL INC.,</b>	)	
	)	
<b>Defendant</b>	)	

**RECOMMENDED DISMISSAL**

After Jodie Louise Byrne twice failed to provide sufficient information to support her request to proceed *in forma pauperis*, see ECF Nos. 2, 4-7, I ordered her to pay this Court’s filing fee by January 24, 2024, and warned her that her case would be dismissed if she failed to do so, see ECF No. 8. The Clerk’s Office mailed a copy of my order to Byrne that same day, but it was returned as undeliverable. See ECF No. 9. On January 19, 2024, the Clerk’s Office remailed a copy of my order to Byrne at a P.O. Box listed on her most recent filing, and that mailing was not returned as undeliverable. Nevertheless, Byrne did not pay the filing fee by January 24, 2024; nor has she done so since then.

Byrne’s failure to pay the filing fee warrants the dismissal of her complaint without prejudice. See, e.g., *Oliver v. Versant Power*, No. 1:21-cv-00225-JAW, 2021 WL 4942861, at \*1-2 (D. Me. Oct. 21, 2021) (rec. dec.), (dismissing a plaintiff’s case without prejudice where the plaintiff did not pay the filing fee), *aff’d*, 2021 WL 5371550 (D. Me. Nov. 17, 2021); *Lazore v. Harrigan*, No. 1:21-cv-00239-GZS,

2021 WL 4761985, at \*1-2 (D. Me. Oct. 11, 2021) (rec. dec.) (same), *aff'd*, 2021 WL 5182663 (D. Me. Nov. 8, 2021). Accordingly, I recommend that this case be ***DISMISSED*** without prejudice.

**NOTICE**

***A party may file objections to those specified portions of a Magistrate Judge's report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which de novo review by the District Court is sought, together with a supporting memorandum, within fourteen (14) days after being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.***

***Failure to file a timely objection shall constitute a waiver of the right to de novo review by the District Court and to appeal the District Court's order.***

Dated: February 5, 2024

/s/ Karen Frink Wolf  
United States Magistrate Judge