

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 22-11203-RGS

PAUL DUBOIS, et al.

v.

NELSON V. ALVES, et al.

ORDER

January 19, 2023

By Memorandum and Order dated August 22, 2022, *pro se* plaintiff Paul Dubois was advised, among other things, that if he elects to proceed with this action, he must (1) either pay the \$402 filing fee or file an application to proceed *in forma pauperis* accompanied by a certified prison account statement and (2) file an amended complaint that sets forth a plausible claim upon which relief may be granted. Dkt. No. 7. In response to the court's Memorandum and Order, on September 12, 2022, Dubois filed a notice of appeal. Dkt. No. 8. On December 22, 2022, the United States Court of Appeals for the First Circuit dismissed Dubois' appeal. Dkt. No. 14.

If Dubois wishes to proceed with this action, he must comply with the directives outlined in the court's August 22, 2022 Memorandum and Order, and he will be granted until on or before March 1, 2023 to do so.

Accordingly, for the reasons stated herein:

1. If plaintiff elects to proceed with this action, he must (1) either pay the \$402 filing fee or file an application to proceed *in forma pauperis* accompanied by a certified prison account statement and (2) file an amended complaint that sets forth a plausible claim upon which relief may be granted.
2. The clerk shall provide plaintiff with a copy of the court's August 22, 2022 Memorandum and Order (Dkt. No. 7) along with the forms for filing a civil complaint and an application to proceed in district court without prepaying fees or costs.
3. Failure to timely comply with these directives by March 1, 2023, will result in the dismissal of this action.

SO ORDERED.

/s/ Richard G. Stearns
UNITED STATES DISTRICT JUDGE