

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOSHUA SNIDER,

Plaintiff,

Civil No. 22-cv-12452

Hon. Matthew F. Leitman

v.

BURLERSON, et. al.,

Defendants.

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**ORDER OF SUMMARY DISMISSAL**

Plaintiff, who has been discharged from the custody of the Michigan Department of Corrections, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983, but failed to submit either the \$ 350.00 filing fee, plus the \$ 52.00 administrative fee, or an application to proceed *in forma pauperis*. On December 5, 2022, the Clerk's Office gave plaintiff notice that he had not paid the filing fee. Plaintiff was given seven days to either pay the filing fee or to submit an application to proceed *in forma pauperis*. The order warned plaintiff that his failure to timely comply with the order could lead to the dismissal of the complaint. (ECF No. 5). To date, plaintiff has failed to comply with the order.

Once a prisoner is released from incarceration, his obligation to pay court fees is determined, like any other nonprisoner, solely by whether he qualifies for the type of *in forma pauperis* status that is available to all litigants. *McGore v. Wrigglesworth*, 114 F.3d 601, 612 (6th Cir.1997), *overruled on other grounds* by *Jones v. Bock*, 549 U.S. 199 (2007). However, all individuals, including both prisoners and nonprisoners, who seek in forma pauperis status in federal court must file a form or affidavit which identifies all of the assets possessed by that individual. *See Floyd v. U.S. Postal Service*, 105 F.3d 274, 277 (6th Cir. 1997), *superseded on other grounds* by Rule 24, Fed. R. App. P. Failure to file the required affidavit mandates that the in forma pauperis request be denied. *See id.* Because plaintiff has neither paid the \$ 350.00 filing fee, plus the \$ 52.00 administrative fee, nor filed any documents in support of a request to proceed *in forma pauperis*, his complaint shall be dismissed.

**IT IS HEREBY ORDERED** that the complaint is **DISMISSED WITHOUT PREJUDICE**. Plaintiff is free to file a new complaint under a new case number provided he pays the filing fee or submits an application to proceed *in forma pauperis*.

/s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: January 18, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 18, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126