

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JONATHAN LEE RICHES,)	
#40948-018)	
Plaintiff,)	Case No. 1:07-cv-911
)	
v.)	Honorable Janet T. Neff
)	
FEMA, et al.,)	
)	<u>DEFICIENCY ORDER</u>
Defendant(s).)	<u>FOR A CIVIL ACTION</u>
_____)	

This is a civil rights action filed by a plaintiff who is a prisoner. The filing fee for a civil action is \$350. Plaintiff has failed to pay the filing fee or to apply in the manner required by law to proceed *in forma pauperis*. Under the provisions of the Prison Litigation Reform Act of 1995, if a prisoner wishes to proceed *in forma pauperis*, the prisoner must file a certified copy of a prisoner trust account statement and an affidavit of indigence. 28 U.S.C. § 1915 (a)(2); *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997). Plaintiff has failed to file the required certified trust account statement for the 6 months immediately preceding the filing of the plaintiff’s complaint in order to proceed *in forma pauperis*. Plaintiff is hereby notified of the foregoing deficiencies.

Plaintiff is informed that within 30 days from the date of this notice, he must submit the \$350.00 filing fee or, alternatively, file the required certified trust account statement for the 6 months immediately preceding the filing of the plaintiff’s complaint. *See McGore*, 114 F.3d at 605. The affidavit must include a statement of all assets plaintiff possesses, a statement that plaintiff is unable to pay the fee or give security therefor, and a statement of the nature of the action. 28 U.S.C.

§§ 1915(a)(1) and (2). Plaintiff must file either Form 4 from the Appendix of Forms found in the Federal Rules of Appellate Procedure, or an affidavit containing the identical information requested in Form 4. *See McGore*, 114 F.3d at 605. The trust account statement must be a certified copy and must be for the 6 months immediately preceding the filing of plaintiff's complaint. 28 U.S.C. § 1915(a)(2); *See McGore*, 114 F.3d at 605.

Plaintiff is also notified that if he fails to pay the filing fee or to file the required documents as described above, the district court must presume that he is not proceeding *in forma pauperis*. *See McGore*, 114 F.3d at 605. In that case, the district court must assess the entire filing fee and must order the case dismissed for want of prosecution. *See id.* If plaintiff's action is dismissed under these circumstances, it will not be reinstated even if plaintiff subsequently pays the filing fee. *See id.*

Dated: September 20, 2007

/s/ Joseph G. Scoville

U.S. Magistrate Judge

FILING FEES SHALL BE REMITTED TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
399 Federal Building
110 Michigan St., N.W.
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to "Clerk, U.S. District Court."