

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

TOMMY DAVIS, )  
)  
Plaintiff, )  
)  
v. )  
)  
CAPE GIRARDEAU COUNTY JAIL, )  
et al., )  
)  
Defendants, )

No. 1:16-CV-91 JAR

**MEMORANDUM AND ORDER**

Plaintiff, a prisoner, seeks leave to proceed in forma pauperis. He has submitted his prison trust account, which shows that he has an average monthly balance of \$1,371. The Court finds that he can afford to pay the filing fee, and so, the motion is denied.


Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to proceed in forma pauperis [ECF No. 6] is **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff must pay the \$400 filing fee within fourteen (14) days of the date of this Order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 6<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE