

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

KENDALL LEE HUFFMAN, JR., )  
Plaintiff, )  
v. ) No. 4:15-CV-768 CAS  
MISSOURI DEPARTMENT )  
OF CORRECTIONS, )  
Defendant. )

**MEMORANDUM AND ORDER**

Plaintiff, a prisoner, seeks leave to proceed in forma pauperis in this civil action. Having reviewed plaintiff's financial information, the Court assesses a partial initial filing fee of \$1.00.

On May 21, 2015, the Court advised plaintiff that his complaint was defective because it was not filed on the proper form, and the Court sent plaintiff the form and ordered him to file an amended complaint no later than June 22, 2015. Plaintiff has not filed an amended complaint. Therefore, this case is subject to dismissal under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute, and the Court will direct plaintiff to show cause why the case should not be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis is **GRANTED**. [Doc. 3]

**IT IS FURTHER ORDERED** that the plaintiff must pay an initial filing fee of \$1.00 within thirty (30) 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 plaintiff must show cause, no later than fourteen (14) days from the date of this Order, why this action should not be dismissed for failure to prosecute. Plaintiff may show cause by submitting a proper amended complaint.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with any portion of this Order, the Court will summarily dismiss this action without further notice.

**IT IS FURTHER ORDERED** that the Clerk is directed to send plaintiff a prisoner complaint form.



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**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 9<sup>th</sup> day of July, 2015.