

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

MICHAEL R. ROBINETT, JR.,

Plaintiff,

v.

RICHARD LISENBEE, JR. et al.,

Defendants.

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No. 4:16CV1736NCC

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Plaintiff, a prisoner, has filed a civil action, but has neither paid the statutory \$400.00 filing fee nor filed a motion for leave to proceed in forma pauperis. *See* 28 U.S.C. § 1915 (a) (1)-(2). The Court will therefore order plaintiff to either pay the \$400.00 filing fee, **or** move for leave to proceed in forma pauperis by submitting a completed form “Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases,” along with a certified copy of his inmate account statement for the six-month period immediately preceding November 7, 2016, the date of the submission of the complaint. Plaintiff’s response to the Court will be due no later than **December 12, 2016**.

Accordingly,

IT IS HEREBY ORDERED that, no later than **Monday, December 12, 2016**, plaintiff shall either pay the \$400.00 filing fee, **or** submit a completed form “Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases,” along with a certified copy of his inmate account statement for the six-month period immediately preceding November 7, 2016, the date of the submission of the complaint.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a copy of the Court’s

form "Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases."

IT IS FURTHER ORDERED that if plaintiff fails to timely comply with this Order, the Court may dismiss this action without further proceedings. *See* Fed. R. Civ. P. 41(b).

Dated this 22nd day of November, 2016.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE