

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

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. The Court has reviewed the financial affidavit provided by the plaintiff and finds that the motion should be granted.

Plaintiff brings this action under Title VII of the Civil Rights Act of 1964 for employment discrimination. On October 31, 2017, the Court ordered plaintiff to submit a copy of her EEOC right-to-sue letter. *See* ECF No. 6. In response, plaintiff has filed an unsigned and undated copy of her charge of discrimination, along with a cover letter received from the EEOC. Based on the cover letter from the EEOC, plaintiff had a telephone interview with an investigator at the EEOC. On October 17, 2017, the investigator drafted a charge of discrimination and mailed it to plaintiff. Plaintiff has filed this unsigned draft of the charge of discrimination. She has not filed a copy of her right-to-sue letter.

“In order to initiate a claim under Title VII a party must timely file a charge of discrimination with the EEOC and receive a right-to-sue letter.” *Stuart v. General Motors Corp.*, 217 F.3d 621, 630 (8th Cir. 2000). Based on plaintiff’s response to the Court’s order, it is not clear whether she has received a right-to-sue letter from the EEOC. Because of this uncertainty,

the Court will order plaintiff again to submit a right-to-sue letter from the EEOC. The right to sue letter will have a “Notice of Suit Rights” section, explaining that plaintiff’s lawsuit must be filed within 90 days of her receipt of the notice. If plaintiff fails to comply with this Order, the Court will dismiss plaintiff’s complaint without prejudice to refiling after she has exhausted her administrative remedies.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to proceed in forma pauperis is **GRANTED**. [ECF No. 2]

IT IS FURTHER ORDERED that plaintiff shall submit a copy of the EEOC right-to-sue letter within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice to refiling after plaintiff has exhausted her administrative remedies.



NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 13th day of November, 2017.