

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

JAMES LAM, III,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:22CV1036 HEA
	)	
RALPH E. FINN, et al.,	)	
	)	
Defendants.	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court upon its own motion. Self-represented Plaintiff James Lam’s 42 U.S.C. § 1983 civil rights complaint for money damages was received by the Court for filing on September 22, 2022.<sup>1</sup> ECF No. 1. However, Plaintiff neither paid the Court filing fee nor filed a motion to proceed without prepayment of fees or costs. The Court will therefore order him to do one or the other. If Plaintiff files a motion seeking leave to commence this action without prepaying fees or costs, he must also file a certified copy of his prison account statement for the six-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1915(a)(2). Plaintiff’s failure to timely pay the filing fee or file a motion seeking leave to commence this action without payment of fees or costs may result in the dismissal of this case, without prejudice and without further notice.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk is directed to send Plaintiff a blank ‘Application to Proceed in District Court without Prepaying Fees or Costs’ form.

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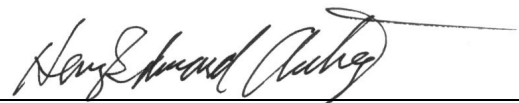
<sup>1</sup> To the extent that Plaintiff intended this filing to be an amended complaint for *Lam v. Finn*, No. 1:19-cv-111-JAR (E.D. Mo. dismissed Dec. 9, 2019), the Court in that matter denied Plaintiff’s motion to reopen the case and file an amended complaint on September 20, 2022. *See id.* at ECF No. 23.

**IT IS FURTHER ORDERED** that Plaintiff must either pay the \$402 filing fee or submit a motion to proceed without prepaying fees or costs within **thirty (30) days** of the date of this Order.

**IT IS FURTHER ORDERED** that, if Plaintiff files a motion seeking leave to commence this action without prepaying fees or costs, he must also submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of the complaint.

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

Dated this 5th day of October, 2022.

A handwritten signature in black ink, reading "Henry Edward Autrey", is written over a horizontal line. The signature is cursive and extends slightly to the right of the line.

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE