

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

DONALD McCRAY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:23-CV-567-HEA
	)	
INTERNAL REVENUE SERVICE, et al.,	)	
	)	
Defendants.	)	

**OPINION, MEMORANDUM AND ORDER**

This matter comes before the Court on its own motion. Self-represented plaintiff Donald McCray has filed a civil action on a Prisoner’s Civil Rights Complaint form. ECF No. 1. However, he has not filed a motion for leave to proceed *in forma pauperis* or paid the Court’s \$402 filing fee. Plaintiff will be directed to either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this Order. *See* 28 U.S.C. § 1915(a)(1). The Court will direct the Clerk to mail plaintiff an ‘Application to Proceed without Prepaying Fees and Costs’ form.

If plaintiff files a motion to proceed *in forma pauperis*, he must include a certified copy of his inmate account statement for the six-month period immediately preceding the filing of his complaint. *See* 28 U.S.C. § 1915(a)(2); *see also* 28 U.S.C. § 1915(h) (defining a “prisoner” as including a person detained in any facility who is accused of violations of criminal law). A “certified copy” is one that has been certified by an authorized prison officer that is a true and correct copy.

Accordingly,


**IT IS HEREBY ORDERED** that the Clerk of Court shall send to plaintiff a copy of its ‘Application to Proceed in District Court without Prepaying Fees or Costs’ form.

**IT IS FURTHER ORDERED** that plaintiff must either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff files a motion for leave to proceed *in forma pauperis*, he must also submit a certified copy of his Robertson Unit “trust fund account statement (or institutional equivalent)” for the six-month period immediately preceding the filing of this action within **twenty-one (21) days** of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff fails to either file a motion for leave to proceed *in forma pauperis* or pay the full filing fee within **twenty-one (21) days** of the date of this order, the Court will dismiss this action without prejudice and without further notice.

Dated this 3<sup>rd</sup> day of May, 2023.

  
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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE