

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WARING PARK,

Plaintiff,

vs.

GINNY LEWIS, NEVADA DMV  
DIRECTOR,

Defendant.

3:08-cv-00423-LRH-VPC

ORDER

This closed civil rights case comes before the Court on the plaintiff's amendment to complaint, motion for preliminary injunction (#10<sup>1</sup>) and plaintiff's motion for injunction (#11). Plaintiff filed his complaint without either an application to proceed *in forma pauperis* or with the requisite \$350.00 filing fee. Minute Order (#3) directed Plaintiff to either pay the filing fee or complete an application to proceed *in forma pauperis* and file it with the clerk of the court by a specified date and that failure to do so would result in a recommendation for dismissal of the action. Plaintiff requested an extension of time to respond to the Minute Order (#4) and was granted to December 1, 2008, to do so (#5). Plaintiff responded with a Notice of In Forma Pauperis Application is a Constitutional Violation (#6). A Report and Recommendation of U.S. Magistrate Judge (#7) was filed outlining the history of Plaintiff's refusal to comply with the court's orders and recommended the denial of *in forma pauperis* status to Plaintiff and that the action be dismissed

---

<sup>1</sup>Refers to court's docket number.

1 without prejudice An order (#8) adopting and accepting the recommendation of the Magistrate  
2 Judge was filed and Judgment was entered (#9). Plaintiff filed his amendment to complaint, motion  
3 for preliminary injunction (#10) and motion for injunction (#11). The present action, however, is  
4 closed.

5 IT THEREFORE IS ORDERED that the plaintiff's amendment to complaint, motion for  
6 preliminary injunction (#10) and plaintiff's motion for injunction (#11) is DENIED. If plaintiff  
7 wishes to pursue his claims, he must file a new complaint in a new action accompanied by either the  
8 required \$350.00 filing fee or a properly completed application to proceed *in forma pauperis*.

9 IT THEREFORE IS ORDERED that the Clerk of the Court shall accept no further filings,  
10 including letters, from Plaintiff in this action other than a notice of appeal from this order.

11 DATED this 1<sup>st</sup> day of July, 2009.



12  
13  
14  
15 LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28