

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHN MERCADO,	:	
	:	
Plaintiff,	:	Civil Action No. 09-5973 (NLH)
	:	
v.	:	O R D E R
	:	(CLOSED)
CAMDEN COUNTY CORRECTIONAL FACILITY, et al.,	:	
	:	
Defendants.	:	

The Court having considered Plaintiff's application to proceed in forma pauperis and file the Complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and the Court having screened the Complaint to determine whether dismissal is warranted pursuant to 28 U.S.C. § 1915(e)(2);

It is on this 1ST day of December, 2009;

ORDERED that Plaintiff may proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court is directed to file the Complaint in the above-captioned action; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this order by regular mail on the Attorney General of New Jersey and on the warden of the Camden County Correctional Facility; and it is further

ORDERED that Plaintiff is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in

this order pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that in each month that the amount in Plaintiff's account exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of the Plaintiff shall assess, deduct from Plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income credited to Plaintiff's account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is further

ORDERED that Plaintiff's medical care claim shall be DISMISSED, without prejudice; and it is further

ORDERED that defendant Camden County Correctional Facility is hereby DISMISSED from this action, with prejudice; and it is further

ORDERED that the Clerk of the Court shall close this case; and it is further

ORDERED that, within 45 days from the date this Order is entered, Plaintiff may move to reopen his case, attaching to any such motion a proposed amended complaint which addresses the deficiencies of the complaint as stated in the Opinion accompanying this Order.

/s/ NOEL L. HILLMAN
NOEL L. HILLMAN
United States District Judge

At Camden, New Jersey