

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

FELIX NKANSAH,	:	
	:	Civ. No. 15-3277 (KM) (MAH)
Plaintiff,	:	
	:	MEMORANDUM AND ORDER
v.	:	
	:	
HUDSON COUNTY JAIL, et al.,	:	
	:	
Defendants.	:	
	:	

Plaintiff, Felix Nkansah, is currently an immigration detainee at the Hudson County Correctional Center in Kearny, New Jersey. He brings this *pro se* civil rights action under 42 U.S.C. § 1983. The Clerk will not file a civil complaint unless the person seeking relief either pays the entire applicable filing fee in advance or else applies for and is granted *in forma pauperis* status pursuant to 28 U.S.C. § 1915. *See* L.Civ.R. 5.1(f). The filing fee for a civil complaint is \$400.00.

Plaintiff's application to proceed *in forma pauperis* is incomplete; it does not include an affidavit that sets forth in detail that plaintiff is unable to pay the filing fee. Therefore, the application will be denied without prejudice and this matter will be administratively terminated. Plaintiff shall be given the opportunity to reopen this case by either paying the \$400.00 filing fee or submitting a complete application to proceed *in forma pauperis*.

Accordingly, IT IS this 14th day of May, 2015,

ORDERED that plaintiff's application to proceed *in forma pauperis* is denied without prejudice; and it is further


ORDERED that the Clerk shall administratively terminate this case without filing the complaint or assessing a filing fee. Plaintiff is informed that administrative termination is not a "dismissal" for purposes of the statute of limitations, and that if the case is reopened, it is not

subject to the statute of limitations time bar provided the original complaint was timely; and it is further

ORDERED that plaintiff may have the above entitled case reopened, if, within thirty (30) days of the date of the entry of this Order, plaintiff either pre-pays the \$400 filing fee or submits to the Clerk a complete signed *in forma pauperis* application; and it is further

ORDERED that upon receipt of a writing from plaintiff stating that he wishes to reopen this case, and either a complete *in forma pauperis* application or filing fee, within the time allotted by this Court, the Clerk will be directed to reopen this case; and it is further

ORDERED that the Clerk shall serve on plaintiff by regular U.S. mail: (1) the Opinion and Order; and (2) a blank form application to proceed *in forma pauperis* by a non-prisoner.



KEVIN MCNULTY
United States District Judge