

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

JOHN E. GREENE,

Plaintiff,

v.

DOC COMMISSIONER GARY LANIGAN,
et al.,

Defendants.

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Civ. No. 17-5291 (KM) (JBC)

MEMORANDUM AND ORDER

The plaintiff, John E. Greene, is a civilly committed person proceeding *pro se* with a civil rights complaint filed pursuant to 42 U.S.C. § 1983. Mr. Greene has filed an application to proceed *in forma pauperis*. However, his application to proceed *in forma pauperis* is not on the form supplied by the Clerk. While this, in and of itself, does not mean that his application should be denied, his application does not include all of the information that is called for by that form and needed for this Court to make a proper and complete *in forma pauperis* determination. Therefore, Mr. Greene's application to proceed *in forma pauperis* will be denied without prejudice, and this matter will be administratively terminated. However, Mr. Greene shall have the opportunity to reopen this action by filing an application to proceed *in forma pauperis* on the form supplied by the Clerk (or one that includes all of the information required by that form) within thirty days of the date of this order.

Accordingly, IT IS this 24th day of July, 2017,

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; 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 on either the form supplied by the Clerk or in a document that contains all of the information that would be on the Clerk form; 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 a copy of this order and a blank form application to proceed *in forma pauperis* by a non-prisoner in a civil rights case.


KEVIN MCNULTY
United States District Judge