

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Edward Crawford,	:	Case No. 1:15-cv-150
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
Ben Rye, Gary Greve, and Senex Services	:	
Corp.,	:	
	:	
Defendants.	:	

ORDER

Plaintiff Edward Crawford, appearing pro se, filed a motion for leave to proceed in forma pauperis together with his complaint on March 2, 2015. (Doc. 1) The Magistrate Judge issued a deficiency order on March 4 (Doc. 2), noting that Plaintiff’s declaration in support of his in forma pauperis application indicates that he receives “disability or worker’s compensation” payments, but he failed to describe the specific sources of income and the amount he receives from those sources. The Magistrate Judge granted Plaintiff an extension of time of 30 days to resubmit his application and supply the missing information. He was also ordered to submit U.S. Marshal forms for service of process for each of the Defendants.

Plaintiff provided the Marshal’s service forms to the Clerk on March 25, 2015, but he failed to resubmit his in forma pauperis application. On April 10, the Magistrate Judge recommended that his case be dismissed for lack of prosecution. (Doc. 3) Plaintiff has objected to this recommendation (Doc. 4), asserting that he “never received paperwork and demanded trial by jury.” He refers to someone named Mabry, and to a Judge Whalen, and asks the Court to consider his objections even if they are filed late

(which they were). His objections are signed but not dated.

Plaintiff also filed another motion for leave to proceed in forma pauperis (Doc. 5) with his objections. However, that motion also fails to describe the specific sources of his income, and does not cure the deficiency noted by the Magistrate Judge. In his objections, he suggests that he did not receive “paperwork” but it is not clear what paperwork he is referring to. Since he timely provided the Marshals forms as ordered, he clearly received the deficiency order yet failed to provide the information about his income. And his second motion suffers from the same deficiency.

The Court has reviewed de novo the record and the Magistrate Judge’s Report, as required by Fed. R. Civ. Proc. 72. The Court finds that Plaintiff’s objections to the Magistrate Judge’s Report and Recommendation are not well taken, and his objections are therefore overruled. The Court adopts in full the Magistrate Judge’s recommendations. Plaintiff’s complaint is dismissed with prejudice for lack of prosecution. His motion for leave to proceed in forma pauperis (Doc. 5) is denied as moot.

SO ORDERED.

THIS CASE IS CLOSED.

DATED: July 29, 2015

s/Sandra S. Beckwith
Sandra S. Beckwith, Senior Judge
United States District Court