Cooper v. Sheriff's Office et al Doc. 2

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

DAVID O. COOPER,	:	Case No. 3:13-cv-272
Plaintiff,	:	District Judge Walter H. Rice Magistrate Judge Michael J. Newman
-vs-		
MONTGOMERY COUNTY, OHIO SHERIFF'S DEPARTMENT, *et.al.*,	:	
Defendants.	:	

DEFICIENCY ORDER

Plaintiff, a prisoner at the Southern Ohio Correctional Facility, and proceeding *pro se*, has filed a complaint. However, *pro se* Plaintiff has neither paid the Court's $400 filing fee nor moved to proceed *in forma pauperis*. Additionally, Plaintiff has failed to file the civil cover sheet. As such, Plaintiff is **ORDERED** to either pay the $400 filing fee or complete the attached Application and Affidavit by an Incarcerated Person to Proceed Without Prepayment of Fees and Costs, and submit it together with the required prisoner account statement on or before **September 16, 2013**. (If you are granted *in forma pauperis* status, the filing fee will be reduced to $350.)

Plaintiff is **ADVISED** that, if the issue of the filing fee is not addressed by the September 16, 2013 deadline, the Court will recommend that this case be closed, and Plaintiff's complaint dismissed, due to his lack of prosecution and failure to comply with this Order.

The Clerk shall promptly mail a copy of this Order, an Application and Affidavit by an Incarcerated Person to Proceed Without Prepayment of Fees and Costs, and a civil cover sheet to Plaintiff at the address on the docket.

IT IS SO ORDERED.

August 16, 2013

s/ **Michael J. Newman**
United States Magistrate Judge

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