

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

SEP 19 2014

JERMOL D. GENTRY et al.,)
)
 Plaintiffs,)
)
 vs.)
)
 LAWTON CORRECTIONAL)
 FACILITY/WARDEN RIOS,)
)
 Defendants.)

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY: Y. W. H., DEPUTY

No. CIV-14-310-W

ORDER

On August 15, 2014, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this matter and recommended that the Court dismiss this action because the remaining plaintiff, Jermol D. Gentry, had failed to pay an initial partial filing fee. Gentry was advised of his right to object to the Report and Recommendation, see Doc. 23 at 3, but no objections have been filed within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Mitchell's suggested disposition of this matter. On June 23, 2014, Gentry was granted leave to proceed without prepayment of the filing fee in full, but was ordered to make an initial partial payment of \$48.71. See Doc. 20. On July 15, 2014, Gentry was again ordered to pay the partial filing fee, and he was advised that his failure to timely do so would result in dismissal of this action. See Doc. 21.

As the record reflects, Gentry has not complied with Magistrate Judge Mitchell's Orders, sought an extension of time to do so or shown good cause for his failure to take action.

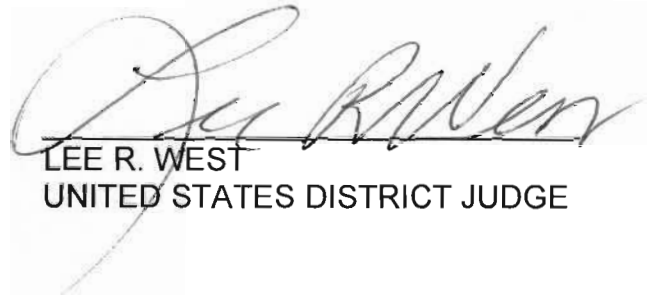
Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 23] issued on August 15, 2014;

(2) deems MOOT Gentry's Motion for a Declaration of Transference [Doc. 17] file-stamped June 16, 2014; and

(3) DISMISSES this matter without prejudice to refiling.

ENTERED this 19th day of September, 2014.



LEE R. WEST
UNITED STATES DISTRICT JUDGE