

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

FILED

SEP - 5 2014

MICHAEL GRANT,)
)
Plaintiff,)
)
vs.)
)
C.C. KEENER, CORRECTIONAL)
CASE MANAGER,)
)
Defendant.)

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY [Signature], DEPUTY

No. CIV-14-676-W

ORDER

On August 1, 2014, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this matter and recommended that the complaint filed by plaintiff Michael Grant, proceeding pro se, be dismissed without prejudice to refile. Grant was advised of his right to object, see Doc. 5 at 2, but no objections have been filed within the allotted time.

Upon review of the record, the Court concurs with Magistrate Judge Purcell's suggested disposition of this matter. On July 1, 2014, Grant was directed to either submit an application seeking leave to proceed in forma pauperis or pay the filing fee, and he was advised that if he failed to take action his complaint was subject to dismissal. Grant neither complied with Magistrate Judge Purcell's Order, showed good cause for his failure to do so nor sought additional time to comply. E.g., Bodison v. Boyd, 491 Fed. Appx. 916 (10th Cir. 2012)(no abuse of discretion if complaint dismissed for failure to pay partial filing fee).


Accordingly, the Court

(1) ADOPTS the Report and Recommendation [Doc. 5] issued on August 1, 2014;

and

(2) DISMISSES this matter without prejudice.

ENTERED this 5th day of September, 2014.



LEE R. WEST
UNITED STATES DISTRICT JUDGE