

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

GREGORY KONRATH,)
)
 Plaintiff,)
 vs.)
)
 FIRELAKE CASINO,)
)
 Defendant.)

NO. CIV-16-1377-HE

ORDER

Plaintiff Gregory Konrath, an Indiana state prisoner appearing *pro se*, filed this case against the Firelake Casino in Shawnee, Oklahoma. He asserts one or more claims based on the theory that he is a gambling addict and that the casino failed to stop, or help him stop, his gambling. Konrath filed what was apparently intended to be a motion for *in forma pauperis* status [Doc. #2]. The motion was screened by U.S. Magistrate Judge Bernard M. Jones, who has recommended that the suit be dismissed because Konrath has not paid the filing fee, nor has he cured the deficiencies in the motion identified by the court. The parties were advised of their right to file an objection to the Report and Recommendation by February 13, 2017.

Konrath has since filed a document, entitled "Amended Claim," in which he reiterates his claims and argues that his failure to pay a filing fee should not result in dismissal. His filing does not, however, otherwise come to grips with his failure to pay the filing fee or with his failure to cure the deficiencies noted in the Report and Recommendation. His offer to share ten percent of anything he recovers in this case with the undersigned judge or the Magistrate Judge or our favorite charities, while unique, does

not solve the problem. As he has not corrected the identified deficiencies, it is unnecessary to address whether other grounds for denial of *ifp* status may also exist.¹

The Report and Recommendation [Doc. #6] is **ADOPTED**. Plaintiff's motion for *ifp* status [Doc. #2] is **DENIED**. Absent full payment of the \$400 filing fee within 21 days from the date of this order, this case will be dismissed.

IT IS SO ORDERED.

Dated this 8th day of March, 2017.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE

¹ *The report indicates that plaintiff is a frequent litigator, having acquired 18 “strikes” based on cases filed in other federal courts.*