

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

MR. TERRENCE C. HENDRIX,

Petitioner,

Civil No. 10-333-CL

v.

ORDER

THE STATE OF OREGON, et al.,

Defendants.

CLARKE, Magistrate Judge.

Plaintiff filed a document captioned "Within the Admiralty" which is liberally construed as a civil complaint - although it makes no sense and fails to comply with the minimal pleading requirements of the federal rules of civil procedure.

Pursuant to 28 U.S.C. § 1914, a party seeking to institute a civil action shall pay a filing fee of \$350.00. An action may proceed without the prepayment of a filing fee only upon a proper application to proceed in forma pauperis. 28 U.S.C. § 1915(a). A prisoner granted leave to proceed in

forma pauperis may be required to pay a initial partial filing fee and shall be required to make monthly payments towards satisfaction of the filing fee when sufficient funds are credited to his or her trust account. 28 U.S.C. § 1915(b).

Plaintiff has neither submitted the filing fee nor moved to proceed in forma pauperis. Accordingly, it is ordered that plaintiff shall submit the requisite fee or an application to proceed in forma pauperis within 30 days of the date of this order. Failure to either pay the fee or file a proper application to proceed in forma pauperis will result in the dismissal of this proceeding for failure to prosecute.

The clerk of the court is requested to send plaintiff the appropriate form.

Plaintiff is advised that the complaint before the court is subject to dismissal without service of process on the defendants on the grounds that it is frivolous and fails to state a claim.

IT IS SO ORDERED

DATED this 7 day of ~~March~~, 2010.


Mark D. Clarke
United State Magistrate Judge