

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TAQUAN COOPER,	:	CIVIL NO. 1:10-CV-0661
Plaintiff	:	(Judge Rambo)
v.	:	
CHAIRPERSON CATHERINE	:	
C. MCVEY, Pennsylvania Board of	:	
Probation and Parole, <i>et al.</i> ,	:	(Magistrate Judge Carlson)
Defendants	:	

MEMORANDUM

On March 26, 2010, Plaintiff, a *pro se* prisoner, filed a complaint pursuant to 42 U.S.C. § 1983. The complaint contained a request for a preliminary injunction and a request to proceed *in forma pauperis* (“IFP”). The matter was referred to a magistrate judge. In a memorandum and order dated April 6, 2010 (doc. 7), the magistrate judge directed Plaintiff to comply with the filing of appropriate IFP forms (*see* 28 U.S.C. § 1915) and directed Plaintiff to file an amended complaint.

On April 7, 2010 (doc. 8), the magistrate judge filed a report in which he recommended that the request for a preliminary injunction be denied. No objections to this report have been filed.

On May 11, 2010, Plaintiff complied with the requisite IFP filings.

By order dated April 28, 2010, Plaintiff was given until June 18, 2010 to file an amended complaint in accordance with the instructions contained in the memorandum and order of the magistrate judge dated April 6, 2010 (doc. 7). On July 15, 2010, this court adopted the April 7, 2010 report of the magistrate judge and

further ordered Plaintiff to show cause why this action should not be dismissed for failure to comply with the ordered dated April 6, 2010 and April 28, 2010 to file an amended complaint. Plaintiff was given until July 28, 2010 to show cause. As of this date, Plaintiff has not responded.

In the absence of an amended complaint, the court cannot determine whether the action states a claim, whether Plaintiff is entitled to *in forma pauperis* status, nor upon whom service of the complaint can be made. Since Plaintiff is proceeding *pro se*, he is entirely responsible for filing the amended complaint. He has in the past been dilatory in filing the appropriate forms to proceed *in forma pauperis*. He has since April 6, 2010, ignored three orders to file an amended complaint which shows bad faith. While no defendant has been prejudiced because service has not been made, the court is prejudiced by not having a case proceed to adjudication. Plaintiff will be deemed to have abandoned this action. An order of dismissal will be entered.

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s/Sylvia H. Rambo  
United States District Judge

Dated: August 3, 2010.

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Plaintiff	:	(Judge Rambo)
v.	:	(Magistrate Judge Carlson)
CHAIRPERSON CATHERINE C. MCVEY, Pennsylvania Board of Probation and Parole, <i>et al.</i> ,	:	
Defendants	:	

**O R D E R**

In accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT** Plaintiff is deemed to have abandoned this action for failure to comply with court orders dated April 6, 2010, April 28, 2010 and July 15, 2010 and the captioned action is dismissed. The Clerk of Court shall close the file.

s/Sylvia H. Rambo  
United States District Judge

Dated: August 3, 2010.