

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Zack Herdt,) C/A: 4:17-392-RBH-TER
vs.)
Plaintiff,) ORDER
vs.)
Horry County Council,)
Harold Worley,)
Mark Lazarus,)
Bill Howard,)
Jimmy Washington,)
Gary Loftus,)
Tyler Servant,)
Cam Crawford,)
Harold Phillips,)
Johnny Vaught, *et al.*,)
Defendants.)

)

This is an action filed by a *pro se* non-prisoner litigant. Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

PAYMENT OF THE FILING FEE:

Plaintiff has submitted an Application to Proceed Without Prepayment of Fees and Affidavit (Form AO 240), which is construed as a motion for leave to proceed *in forma pauperis*. *See* 28 U.S.C. § 1915. A review of the motion reveals that Plaintiff should be relieved of the obligation to prepay the full filing fee. Plaintiff's motion for leave to proceed *in forma pauperis* is **granted**, subject to the court's right to require a payment if Plaintiff's financial condition changes, and to tax fees and costs against Plaintiff at the conclusion of this case if the court finds the case to be without merit. *See Flint v. Haynes*, 651 F.2d 970, 972–74 (4th Cir. 1981). (ECF No. 3).

MOTION FOR LEAVE TO FILE ELECTRONICALLY

The court **denies** Plaintiff's Motion for Leave to File Electronically. (ECF No. 4). Paragraph 3.3 of the Electronic Case Filing Policies and Procedures, District of South Carolina (Dec. 1, 2016) provides that *pro se* parties shall file papers in the traditional filing method.

TO THE CLERK OF COURT:

The above-captioned case is subject to summary dismissal. Hence, the Office of the Clerk of Court is directed *not* to issue any summons at this time in the above-captioned case, unless instructed by a United States District Judge or a Senior United States District Judge to do so.

TO PLAINTIFF:

Plaintiff must place the civil action number listed above on any document provided to the Court provided in connection with this case. Any future filings **must be sent to the address below**. All documents requiring Plaintiff's signature shall be signed with Plaintiff's full legal name written in Plaintiff's own handwriting. *Pro se* litigants, such as Plaintiff, shall not use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this Court, Plaintiff is directed to use letter-sized (8½ inches by 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper. Plaintiff is further instructed not to write to the edge of the paper, but to maintain one-inch margins on the top, bottom, and sides of each paper submitted.

Plaintiff is a *pro se* litigant. Plaintiff's attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised **in writing (Post Office Box 2316, Florence, South Carolina 29503)** if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If as a result of your failure to comply with this Order, you fail to meet a deadline set by this Court, your case may be dismissed for violating this Order. Therefore, if you have a change of address before this case is ended, you must comply with this Order by immediately advising the Clerk of Court in writing of such change of address and providing the Court with the docket numbers of all pending cases you have filed with this Court. Your failure to do so will not be excused by the Court.

IT IS SO ORDERED.

March 29, 2017
Florence, South Carolina

s/ Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge