

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JEREMY GARRETT,

Plaintiff,

v.

DR. [F/N/U] SATO, et al.,

Defendants.

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No. 3:13-mc-0059

Chief Judge Haynes

ORDER

Plaintiff Jeremy Garrett, an inmate at the Charles Bass Correctional Complex in Nashville, Tennessee, seeks to file in this Court a *pro se* complaint for alleged civil rights violations. With his complaint, however, the plaintiff did not submit either the requisite filing fee or an application to proceed *in forma pauperis*. The complaint may not be filed as a civil action or considered on the merits unless it is accompanied by the appropriate fee, 28 U.S.C. § 1914(a), or by an application to proceed *in forma pauperis*, 28 U.S.C. § 1915(a)(1). The latter, to be considered, must be signed and notarized by an appropriate prison official, as set forth in this Court's Administrative Order 93, and accompanied by a certified copy of the plaintiff's trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of the complaint, obtained from the appropriate official at each prison in which the plaintiff has been confined during that 6-month period. 28 U.S.C. § 1915(a)(2).

The Clerk of Court is **DIRECTED** to mail the petitioner a blank application to proceed *in*

forma pauperis. The plaintiff, in turn, is **DIRECTED** either to pay the \$400.00 filing fee in full,¹ or to complete the application to proceed *in forma pauperis* and return the properly completed application to the district Court, within **30 days** of the date this order is entered on the docket. He must include the temporary docket number assigned to this case, **No. 3:13-mc-0059**, on his filing.

The plaintiff is forewarned that if he does not comply with this order within the time frame specified, the Court is required to assess the fee against him anyway, 28 U.S.C. § 1915(b)(1), and the action may be dismissed for failure to prosecute and for failure to comply with the Court's order. An extension of time to comply with this order may be requested from this Court if a motion for an extension of time is filed within 30 days of the date of entry of this order.

It is so **ORDERED**.



William J. Haynes, Jr.
Chief United States District Judge

7-18-13

¹ Effective May 1, 2013, the Judicial Conference of the United States established a \$50 administrative fee for filing a civil action in a U.S. District Court, as a result of which the fee for filing a new civil case increased to \$400 (\$350 filing fee + \$50 administrative fee). The \$50 administrative fee does not apply to cases filed by *pro se* prisoner plaintiffs who have been provisionally granted permission to proceed *in forma pauperis* under 28 U.S.C. 1915. If the plaintiff is ultimately permitted to proceed as a pauper, a filing fee in the amount of \$350.00, rather than \$400.00, will be assessed against him under § 1915(b).