

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CHRISTOPHER CRAPPS,

Plaintiff,

v.

Case No: 2:18-cv-86-FtM-99CM

BILL PRICE and FRANCIS
LAMOUR,

Defendants.

_____ /

OPINION AND ORDER¹

This matter comes before the Court upon periodic review of the file. On February 7, 2018, *pro se* Plaintiff, who is currently detained at the Florida Civil Commitment Center, filed a civil rights Complaint pursuant to 42 U.S.C. § 1983. ([Doc. 1](#)). However, Plaintiff did not accompany the filing of his action with either a motion for leave to proceed *in forma pauperis*, or the requisite \$400.00 filing fee.

On May 18, 2018, the Court entered an Order to Show Cause ([Doc. 7](#)) directing the Plaintiff to file a motion to proceed in forma pauperis or pay the Court's \$400.00 filing fee. The Clerk of Court attached an Affidavit of Indigence Form to that Order. The Court warned Plaintiff that failure to comply within thirty (30) days of the date on the Order would

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result in dismissal of Plaintiff's action without further notice. Plaintiff has not complied with the May 18, 2018 Order.

The Court has taken reasonable steps to provide Plaintiff an opportunity to respond to the Orders and Plaintiff was put on notice that the case would be dismissed if he failed to comply with the Court's Order. The Local Rules provide that "[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution." M.D. Fla. R. 3.10(a).

The Court finds that Plaintiff has failed to prosecute this case and that the case is due to be dismissed. Because the Court is dismissing this action without prejudice, Plaintiff may file a new action if he wishes to pursue his case.

Accordingly, it is now

ORDERED:

1. Plaintiff's Complaint ([Doc. 1](#)) is hereby **DISMISSED without prejudice**.
2. The Clerk of Court is directed to terminate any pending motions and deadlines, enter judgment accordingly, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 21st day of June, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies:
Christopher Crapps
SA: FTMP-2