

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GREGORY B. MYERS,

Plaintiff,

v.

Case No.: 2:24-cv-322-SPC-KCD

CITY OF NAPLES, FLORIDA,

Defendant.

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**OPINION AND ORDER**


Before the Court is pro se Plaintiff Gregory B. Myers' Complaint. (Doc. 1). Plaintiff (who is not in custody) has yet to pay the filing fee or move to proceed in forma pauperis. And this is not his first rodeo. *See Myers v. City of Naples, Fla.*, No. 2:23-CV-539-SPC-NPM (Doc. 3) (dismissing a similar case brought by Plaintiff for filing without a filing fee or IFP motion). The Court thus dismisses this action without prejudice. *See* 28 U.S.C. §1914(c) ("Each district court by rule or standing order may require advance payment of fees"); Local Rule 1.05(c) ("The clerk must accept an initial paper *from a person in custody* even if no filing fee or motion for leave to proceed in forma pauperis accompanies the paper." (emphasis added)). If Plaintiff wants to proceed with his claims, he may file another complaint under a separate case number that

is accompanied by the required filing fee or motion to proceed in forma pauperis.

Accordingly, it is now **ORDERED**:

The Complaint (Doc. 1) is **DISMISSED without prejudice**.

**DONE and ORDERED** in Fort Myers, Florida on April 15, 2024.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record