

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RICHARD ROCHE, individually
and personal representative of the
Estate of Laura Susan Roche,

Plaintiff,

v.

Case No.: 2:24-cv-1149-SPC-KCD

LARC, INC., KEVIN LEWIS,
VICKIE CHAPMAN, JANE
MARSHALL, DANIELLE
JACOBS, PHYSICIANS' PRIMARY
CARE OF SOUTHWEST
FLORIDA, P.L., JEANNE A.
ABDOU, ROGER O'HALLORAN,
GULF COAST MEDICAL
CENTER, LEE MEMORIAL
HEALTH SYSTEM and CARLY
HALLER,

Defendants.

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ORDER

Plaintiff Richard Roche, proceeding without a lawyer, filed a complaint (Doc. 1) but did not pay the filing fee or seek leave to proceed in forma pauperis.

Under 18 U.S.C. § 1914, “[t]he clerk of each district court shall require the parties instituting any civil action, suit or proceeding in such court, whether by original process, removal or otherwise, to pay a filing fee of \$350.”

“To commence a civil lawsuit in federal district court, the general rule is that

initiating parties must prepay a filing fee.” *Rivera v. Allin*, 144 F.3d 719, 722 (11th Cir. 1998). Further, the Clerk of Court is permitted to collect from the parties “such additional fees only as are prescribed by the Judicial Conference of the United States.” 28 U.S.C. § 1914(b). Under these rules, Plaintiff is required to pay a filing fee of \$405.

Alternatively, if Plaintiff is unable to pay the filing fee, he may request leave to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1). Section 1915 provides that “any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a)(1).

The case cannot continue without payment of the filing fee or an affidavit establishing that Plaintiff is indigent. The necessary forms may be obtained from the Court’s website or the Clerk’s Office.

Accordingly, it is **ORDERED**:

Plaintiff must pay the \$405 filing fee or move to proceed in forma pauperis with supporting affidavits by **January 17, 2025**. **Failing to exercise one of these options may result in this case being dismissed for failure to prosecute without further notice.**

ENTERED in Fort Myers, Florida on December 18, 2024.



Kyle C. Dudek
United States Magistrate Judge

Copies: All Parties of Record