

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

EUGENE JACKSON,

Plaintiff,

v.

CASE NO. 07-3185-SAC

DAVID R. MCKUNE,
et al.,

Defendants.

O R D E R

This civil rights complaint was filed by a state prisoner pursuant to 42 U.S.C. § 1983. On August 27, 2007, this court entered an Order granting plaintiff thirty days in which to submit an initial partial filing fee of \$32.50, and to allege additional facts in support of his claims or show cause why this action should not be dismissed for reasons stated in the Order. The time for submitting the initial partial filing fee assessed by the court or an objection to the fee, and for otherwise complying with the court's Order has expired with nothing submitted or filed by plaintiff. As a result, the court finds that this action must be dismissed on account of plaintiff's failure to pay the assessed initial partial filing fee and to show cause why this action should not be dismissed.

IT IS THEREFORE ORDERED that this action is dismissed, without prejudice.

IT IS FURTHER ORDERED that plaintiff's Motion for Leave to Proceed in forma pauperis (Doc. 2) is denied as moot.

IT IS SO ORDERED.

Dated this 12th day of October, 2007, at Topeka, Kansas.

s/Sam A. Crow
U. S. Senior District Judge