

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

CHAYA JONES)	
)	
Plaintiff,)	
)	
vs.)	Case No. 08-2360-EFM-DWB
)	
PROVIDENCE MEDICAL CENTER, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MEMORANDUM AND ORDER

Plaintiff Chaya Jones previously filed an “Application for Leave to File Action Without Payment of Fees, Costs, or Security” (IFP Application). (Doc. 2, sealed.) On August 5, 2008, Judge Waxse held that Plaintiff’s application was deficient and denied the motion without prejudice. (Doc. 4.) Judge Waxse held that Plaintiff would be required to provide the Court with a financial affidavit to support any future request for filing without payment of fees, and he attached to his Order the necessary forms to be used by Plaintiff in renewing her application.

In the latter part of 2008, this case was reassigned to Judge Melgren and to the undersigned magistrate judge. *See* Doc. No’s 5, 6. The Court notes that it has been almost six months since Judge Waxse issued his order and provided Plaintiff with the required forms to renew her request for permission to file this action

without the payment of fees. Plaintiff, however, has not submitted any required financial affidavit nor has she paid the filing fee to file the present case. The Court cannot allow this matter to remain in limbo any longer. If Plaintiff has not either (1) filed the required financial affidavit and renewed application to file this case without the payment of fees or (2) paid the statutory filing fee by **February 20, 2009**, the undersigned will issue a report and recommendation to the district judge that this case should be dismissed.

IT IS SO ORDERED.

Dated at Wichita, Kansas, on this 27th day of January, 2009.

s/ DONALD W. BOSTWICK
DONALD W. BOSTWICK
United States Magistrate Judge