

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

GARY P. JONES,

Plaintiff,

v.

CASE NO. 08-3072-SAC

M.SWANN, et al.,

Defendants.

O R D E R

On March 24, 2008, the court entered an Order in this pro se civil rights action granting plaintiff thirty (30) days in which to submit an initial partial filing fee of \$6.00, and to file a Supplement to Complaint stating additional facts sufficient to support his claims, or this action would be dismissed. In that thirty day time period, plaintiff filed a motion for appointment of counsel, which was denied. However, he has not paid the partial filing fee or filed a Supplement to Complaint or any other response to the court's Order. The court finds that this action should be dismissed on account of plaintiff's failure to pay the initial partial filing fee as ordered.

IT IS THEREFORE ORDERED that this action is dismissed, without prejudice, due to plaintiff's failure to pay the assessed initial partial filing fee within the time provided by the court.

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 13th day of May, 2008, at Topeka, Kansas.

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