

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

WALTER J. PARADES,

Plaintiff,

vs.

CIVIL ACTION
No. 08-3280-SAC

UNITED STATES DEPARTMENT OF JUSTICE,
et al.,

Defendants.

ORDER

This matter is a civil action filed by a prisoner in federal custody. On December 11, 2008, the court issued an order directing plaintiff to submit an initial partial filing fee calculated pursuant to 28 U.S.C. § 1915(b)(1). Plaintiff was directed to submit the fee within thirty days, and he was advised the failure to do so might result in the dismissal of this matter without prejudice. Plaintiff has filed no response.

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed without prejudice due to plaintiff's failure to submit the initial partial filing fee as directed.

IT IS FURTHER ORDERED plaintiff's motions for leave to proceed in forma pauperis (Doc. 2) and for the appointment of

counsel (Doc. 3) are denied as moot.

A copy of this order shall be transmitted to the plaintiff.

IT IS SO ORDERED.

Dated at Topeka, Kansas, this 20th day of January, 2009.

S/ Sam A. Crow
SAM A. CROW
United States Senior District Judge