

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>WANGARI MUTA MAATHAI,</b>	)	
	)	3:12-cv-0910
<b>Plaintiff,</b>	)	<b>No. 3:12-mc-00048</b>
	)	<b>Judge Sharp</b>
<b>v.</b>	)	
	)	
<b>BARACK HUSSEIN OBAMA,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

The plaintiff, a resident of Washington, DC, brings this *pro se* action under 42 U.S.C. § 1983. (Docket No. 1).

On July 12, 2012, the court entered a deficiency order alerting the plaintiff that, in order to file his civil action, he needed to submit either the three hundred and fifty dollar (\$350.00) filing fee or an application to proceed *in forma pauperis*. (Docket No. 2). The court directed the plaintiff to submit one or the other to the court within thirty (30) days of receipt of the court's order. (*Id.*)

The court expressly warned the plaintiff that if he did not comply with the court's order within the time frame specified, the court could dismiss the action for want of prosecution. (Docket No. 1 at p. 1). The court also informed the plaintiff that he could request an extension of time to comply with the court's order if he filed a motion for an extension of time within thirty (30) days of the date of entry of the court's order. (*Id.* at p.2).

On August 1, 2012, the court received the certified mail receipt indicating that the court's order had been received on July 16, 2012.<sup>1</sup> (Docket No. 5). However, more than thirty (30) days has passed since the entry of the court's order and the plaintiff has not complied with the court's

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<sup>1</sup>The signature was illegible on the certified return receipt card. (Docket No. 5).

prior order. Neither has the plaintiff requested an extension of time within which to respond.

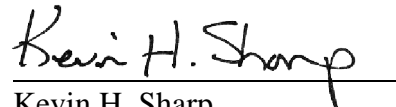
The Clerk is **DIRECTED** to convert this miscellaneous matter to a civil action.

This action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the orders of the court, and for want of prosecution. Rule 41(b), Fed. R. Civ. P.; *see Link v. Wabash R.R.*, 370 U.S. 626, 630 (1962); *Knoll v. Am. Tel. & Tel. Co.*, 176 F.3d 359, 363 (6<sup>th</sup> Cir. 1999).

Because an appeal would **NOT** be taken in good faith, the plaintiff is **NOT** certified to appeal the judgement of the court *in forma pauperis*. 28 U.S.C. § 1915(a)(3).

Entry of this order shall constitute the judgment in this action.

It is so **ORDERED**.

  
Kevin H. Sharp  
United States District Judge