

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

KENNETH MCDAVID,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 1:15-cv-001086-TWP-TAB
	)	
BUTCH BAKER, HENRY COUNTY	)	
SHERIFF, et al.,	)	
	)	
Defendants.	)	

**Entry Denying Motion to Proceed *In Forma Pauperis* and  
Directing Further Proceedings**

**I.**

The plaintiff is an Indiana prisoner currently confined at the Putnamville Correctional Facility. He brings this civil rights complaint pursuant to 42 U.S.C. § 1983, against the following defendants: 1) Butch Baker, Henry County Sheriff; 2) Jail Commander Brent; and 3) other Unknown Officers.<sup>1</sup>

The plaintiff’s motion to proceed *in forma pauperis* [dkt. 2] is **denied without prejudice** because he failed to submit a certified copy of his trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of his complaint on July 10, 2015, as required by 28 U.S.C. § 1915(a)(2). He shall have **through August 14, 2015**, in which to either pay the \$400.00 filing fee or renew his request for *in forma pauperis* status with the required information.

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<sup>1</sup> The clerk shall **update the docket** to reflect these defendants.

**II.**

The plaintiff alleges in his complaint that he has already brought the same claims he asserts here in the Henry County Circuit Court. The plaintiff shall have **through August 14, 2015**, in which to identify the parties of that action and the reason that it was dismissed, and to **show cause** why this action should not be dismissed as barred by the doctrine of *res judicata*. “Under *res judicata*, a final judgment on the merits bars further claims by parties or their privies based on the same cause of action.” *Cannon v. Burge*, 752 F.3d 1079, 1101 (7th Cir. 2014) (internal quotation omitted). If he can obtain copies of a case chronological summary from the court or a copy of the complaint in that action, he shall also submit those.

**IT IS SO ORDERED.**

Date: 7/15/2015



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TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

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