

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

GOD also known as MICHAEL H. WALLER,)
)
Plaintiff,)
)
vs.) No. 1:17-cv-03028-TWP-MJD
)
INDIANA UNIVERSITY BLOOMINGTON,)
IN,)
LILLY LIBRARY,)
)
Defendants.)

Entry Discussing Pending Motions and Affidavit of Income and Expenses

I.

The plaintiff has responded to the Court’s direction to provide a sworn affidavit that includes a statement of his income and expenses. In his filing of September 26, 2017, he states that, “As God the original creator of The Universe and Living in The Highest Heaven Possible, so were [sic] I am from I have no income or expenses. I essentially own everything....” Dkt. 8, p. 1. He further states that his “income and expenses are ZERO” but that he has cash resources in the amount of \$1200.00. *Id.* at p. 4. In light of his having no expenses and sufficient funds on hand to pay the filing fee, his request to proceed *in forma pauperis* is **granted to the extent** that he may pay the \$350.00 filing fee in three (3) payments of One Hundred Dollars (\$100.00) and a fourth payment of Fifty Dollars (\$50.). He shall have **through December 18, 2017**, in which to pay the first One Hundred Dollar (\$100.00) installment of the filing fee to the clerk of the court. The additional three payments shall be paid on or before the 18th of each month until the final payment is made. Failure to pay the filing fee as directed will result in the dismissal of this action for failure to prosecute and failure to comply with Court orders.

II.

The plaintiff's motion for entry of default judgment, dkt. [7], is **denied** because the defendants are not in default. There is no showing that they have been properly served.

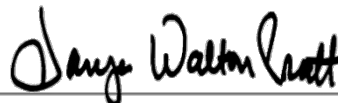
The plaintiff's motion to reconsider the requirement of providing a statement of income and expenses, dkt. [10], is **denied**. All litigants are required to either pay the full filing fee or be allowed to proceed without prepayment of the entire filing fee if they are granted *in forma pauperis* status. The action will not proceed until the first installment of the filing fee has been paid.

The plaintiff's motion for relief from service of summons requests that he be allowed to "avoid service of Summons under Rule 4 for this action." The plaintiff's motion for relief from service of summons, dkt. [16], is **denied as meritless and premature**. There is no basis on which to not require proper service in this action. After the plaintiff pays the initial partial filing fee, however, the Court will screen the complaint to determine if any federal claim is asserted. 28 U.S.C. § 1915(e)(2). If the complaint states a viable claim, the Court will assist the plaintiff with service of process because of his *in forma pauperis* status.

A filing sent to the plaintiff has returned as undeliverable. dkt. [19]. It is the plaintiff's obligation to report his current address to the Court. If the Court is unable to communicate with the plaintiff in writing because he has failed to provide a current address, the action will be subject to dismissal for failure to prosecute.

IT IS SO ORDERED.

Date: 11/21/2017



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

Distribution:

GOD aka Michael H. Waller
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Bloomington, IN 47404