

FEB - 4 2016

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

TERENCE K. BETHEA, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,Defendants.

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Civil Action No. 15-1676 (UNA)

MEMORANDUM OPINION

On September 28, 2015, the Clerk of Court received plaintiffs' civil complaint and applications for leave to proceed *in forma pauperis*. By Order entered on October 19, 2015, the Court directed each plaintiff to submit a certified copy of his trust fund account statement (or institutional equivalent), including the supporting ledger sheets, for the six-month period immediately preceding the filing of this complaint, obtained from the appropriate official of each prison at which plaintiff is or was confined. 28 U.S.C. § 1915(a)(2).

On December 17, 2015, the Clerk of Court received a second civil complaint and a single application for leave to proceed *in forma pauperis* from plaintiff Vernon Lewis. The Clerk opened a new civil action, No. 16-0033 (UNA), and by Order entered on January 15, 2016, the Court directed each plaintiff to submit his trust fund account statement.

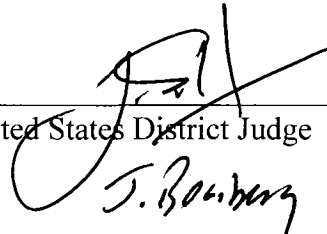
This matter is before the Court on plaintiffs' Motion to Correct the Record And Or Errata Notice [5]. It appears that plaintiffs submitted two identical complaints on two different dates, such that the Clerk of Court has opened two civil actions. Plaintiffs "feel that they are being put

into a position of having to pay two partial filing fees which will ultimately bring the total amount of the filing fee to \$700.00 . . . by virtue of the fact that there are two case numbers assigned to one case, which two orders requesting \$350.00[.]” Pls.’ Mot. ¶ 10. Their point is well taken, and the Court will issue a separate Order to dismiss Civil Action No. 16-0033.

However, contrary to plaintiffs’ assertion that “the filing fee requirements were met with respect to the first case number 1:15-cv-01676,” *id.* ¶ 11, to date, no plaintiff has submitted the requisite trust fund account statement. Because plaintiffs have not complied with the requirements of 28 U.S.C. § 1915(a)(2), their applications to proceed *in forma pauperis* will be denied and this civil action will be dismissed without prejudice.

An Order is issued separately.

DATE: Feb. 3, 2016


United States District Judge
J. Rosenberg