

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FREDERICK WESTBROOK,)
)
 Plaintiff,)
)
 v.) No. 4:24-cv-01324-MTS
)
 BHUMI PATEL, *et al.*,)
)
)
 Defendants.)

MEMORANDUM AND ORDER OF DISMISSAL

This matter is before the Court on review of the file. On November 20, 2024, the Court ordered Plaintiff Frederick Westbrook to either pay the \$405 filing fee in full or submit an application to proceed in district court without prepaying fees or costs no later than Wednesday, December 11, 2024. Doc. [4]. That Order also warned Plaintiff that failure to comply would result in dismissal of his lawsuit “without prejudice and without further notice.” *Id.*

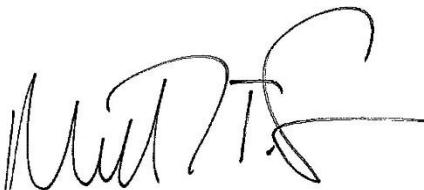
In the meantime, Plaintiff has submitted exhibits to his complaint, asked for a different complaint form, requested copies from the Clerk of Court, and filed an amended Complaint. Docs. [5] – [7]. He has not, however, paid the full filing fee nor has he filed an application to proceed without prepaying the filing fee and costs. Thus, Plaintiff has failed to comply with the Court’s Order dated November 20, 2024. As a result, this action is dismissed for failure to comply with a court order.

Fed. R. Civ. P. 41(b); *see Hutchins v. A.G. Edwards & Sons, Inc.*, 116 F.3d 1256, 1259 (8th Cir. 1997) (“A district court has the power to dismiss a litigant’s cause of action when the litigant fails to comply with the court’s orders.”).

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED** without prejudice.

Dated this 31st day of December 2024.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE