

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

CHRISTOPHER GRANTHAM,
Plaintiff-Appellant,

v.

UNITED STATES,
Defendant-Appellee.

2014-5118

Appeal from the United States Court of Federal
Claims in No. 1:13-cv-00981-LB, Judge Lawrence J.
Block.

ON MOTION

O R D E R

Christopher Grantham submits two motions for leave to proceed in forma pauperis, which the court also construes as a motion to reinstate his appeal.

The court notes that this appeal was dismissed on August 11, 2014 for failure to pay the docketing fee.

Grantham is incarcerated. Pursuant to the Prisoner Litigation Reform Act of 1995, this court may not authorize the prosecution of an appeal by a prisoner without the prepayment of fees. 28 U.S.C. § 1915. A prisoner is no longer afforded the alternative of proceeding without payment of filing fees, but must, in time, pay the \$505 filing fee in its entirety. When funds exist, an initial partial payment must be made consisting of 20% of the greater of (a) the average monthly deposits to the prisoner's account or (b) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the notice of appeal. 28 U.S.C. § 1915(b)(1). Thereafter, the prisoner is required to make monthly payments of 20% of the preceding month's income credited to the prisoner's account. 28 U.S.C. § 1915(b)(2). The agency with custody of the prisoner must forward payments from the prisoner's account each time the amount in the account exceeds \$10 until the \$505 filing fee is paid in full. *Id.* Grantham has indicated that none of his prior actions or appeals were dismissed because they were frivolous, malicious, or failed to state a claim upon which relief can be granted.

By separate letter, the custodian of Grantham's prison account is being directed to make the necessary arrangements to forward the filing fee to the court.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motions for leave to proceed in forma pauperis are denied.
- (2) The motion to reinstate the appeal is granted. The mandate is recalled, the court's dismissal order is vacated, and the appeal is reinstated.
- (3) The government's informal brief is due within 21 days from the date of filing of this order.

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FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court

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