

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MARK SHANNON WHEELER,)
)
 Plaintiff,)
)
 v.)
)
 JEFFERSON S. DUNN,)
 Commissioner of the)
 Alabama Department of)
 Corrections,)
)
 Defendant.)

CIVIL ACTION NO.
2:13cv112-MHT
(WO)

ORDER

It is ORDERED that plaintiff's motion for contempt of court (Doc. 72) is denied. If plaintiff seeks to challenge the Alabama Department of Corrections' taking of his money, he may seek relief before the Alabama Board of Adjustment. See *Marshall v. Shipman*, No. CIVA 05-0643 WSC, 2007 WL 2154162, at *3 (S.D. Ala. June 18, 2007) ("Claims for the loss of property incurred at the hands of Alabama state agencies or their employees may be presented for compensation to the Alabama Board of

Adjustment pursuant to Alabama Code §§ 41-9-60, et seq.").

The court notes that it is unaware of any order issued in this case for payment of a filing fee at a rate of no more than 10 % per month. Plaintiff filed an appeal in this case in 2014 and at that time agreed to pay a \$ 455 filing fee to the Eleventh Circuit Court of Appeals. The appeals court explained the payment terms in a letter to the warden of Davis Correctional Facility.

The clerk of court is DIRECTED to send to plaintiff with this order a copy of plaintiff's consent form and the attached letter (Doc. 52).

DONE, this the 4th day of March, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE