

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

ADDONES SPENCER
Reg. # 11060-027

PLAINTIFF

v. No. 2:12-cv-209-DPM-BD

C. SAMUELS, Director, Federal Bureau of Prisons

DEFENDANT

ORDER

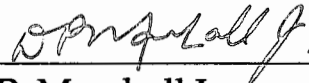
Spencer has moved for leave to appeal *in forma pauperis*. No 36. The motion is granted. Indeed, Spencer doesn't need the Court's permission to proceed IFP on appeal; the Court allowed him to proceed IFP at the trial level and has not certified that an appeal would not be taken in good faith. FED. R. APP. P. 24(a)(3)(A). Spencer still must pay the full statutory appellate filing fee. The method and timing of payment are the only issues to be resolved. FED. R. APP. P. 3(e).

Based on the information contained in Spencer's application, the Court will not assess an initial partial filing fee. But Spencer's present custodian, his designee, and all future custodians, are directed to collect the initial partial filing fee as well as monthly payments from his prison trust account each time the amount exceeds \$10.00, and forward those payments to the Clerk of the

Court until the statutory filing fee appellate filing fee of \$455 is paid in full. 28 U.S.C. § 1915(b)(2). The payments forwarded on Spencer's behalf must be clearly identified by the name and number assigned to this action.

The Clerk of the Court is directed to send a copy of this Order to the Warden of Forrest City Medium, Federal Correctional Institution, Post Office Box 3000, Forrest City, Arkansas 72336.

So Ordered.



D.P. Marshall Jr.
United States District Judge

