

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

KATHY LYNETTE MILES

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Plaintiff

\*

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VS.

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NO: 4:08CV02801 SWW

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BG EXCELSIOR LIMITED

\*

PARTNERSHIP D/B/A THE

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PEABODY LITTLE ROCK, ET AL.

\*

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Defendants

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**ORDER**

Plaintiff Kathy L. Miles commenced this employment discrimination action and received leave to proceed *in forma pauperis*. By order and judgment entered January 14, 2011, the Court granted Defendant’s motion for summary judgment and dismissed Plaintiff’s complaint with prejudice. Now before the Court is Defendant’s bill of costs, seeking \$2,253.44.

Rule 54(d) of the Federal Rules of Civil Procedure provides that the prevailing party is entitled to costs. However, Rule 54(d) gives the district court discretion in determining whether to tax costs at all and whether to reduce the amount of costs taxed due to a litigant’s indigent status. *See Lampkins v. Thompson*, 337 F.3d 1009, 1017 (8th Cir. 2003). In light of Plaintiff’s indigency, the Court finds that the bill of costs (docket entry #87) should be and it is hereby DENIED.

IT IS SO ORDERED THIS 15<sup>TH</sup> DAY OF FEBRUARY, 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE