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

CEDRIC MHOON,
ADC #1008920   PLAINTIFF

v.   4:11CV00253-JTK

JEREMY DISOTELL, et al.   DEFENDANTS

<u>ORDER</u>

Plaintiff, a state inmate proceeding <u>pro se</u>, has filed a Notice of Appeal with the United States Court of Appeals, Eighth Circuit, together with a Motion to Proceed <u>in forma pauperis</u> pursuant to 28 U.S.C. § 1915 (Doc. No. 24). However, because Plaintiff has not included the necessary financial information to support his application, it will be denied.
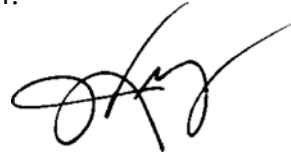
According to the Prison Litigation Reform Act (PLRA), **a prisoner who is allowed to file a civil action or an appeal in forma pauperis still must pay the full amount of the filing fee.** <u>See</u> 28 U.S.C. § 1915(b)(1). The cost of filing an appeal is $505.   Under the Act, in order for the Court to determine how the filing fee will be paid, the prisoner is required to submit a calculation sheet **prepared and executed by an authorized official of the incarcerating facility**. This calculation sheet reflects the deposits and monthly balances in the inmate's trust account at the facility during the six-month period immediately preceding the filing of the complaint. <u>See</u> 28 U.S.C. § 1915(a)(2). However, the Act also provides that **in no event shall a prisoner be prohibited from bringing a civil action because he "has no assets and no means by which to pay the initial partial filing fee."** 28 U.S.C. § 1915(b)(3).

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Proceed <u>in forma pauperis</u> on appeal (Doc. No. 54) is DENIED without prejudice.

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IT IS FURTHER ORDERED that Plaintiff submit either the $505 statutory filing fee or an in forma pauperis Motion, with the required calculation sheet **signed by an authorized official of the prison**, within fifteen (15) days of the entry date of this Order.

The Clerk is directed to send to Plaintiff an in forma pauperis Motion and calculation sheet.

IT IS SO ORDERED this 6th day of January, 2014.

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JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE