

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

TYRONE WILLIAMS
ADC # 101893

PLAINTIFF

V.

5:07CV00012 SWW

SCOTT *et al.*

DEFENDANT

ORDER

Plaintiff, an inmate at the Tucker Maximum Security Unit of the Arkansas Department of Correction, proceeding *pro se*, filed a notice of appeal with the United States Court of Appeals, Eighth Circuit (docket entry #112). In an Order dated August 14, 2009 (docket entry #122), the Court of Appeals ordered that this Court examine Plaintiff's *In Forma Pauperis* application and set a payment plan for the payment of Plaintiff's appellate filing fee. The mandate was handed down on October 8, 2009, and summarily affirmed the findings of this Court in dismissing Plaintiff's case (docket entry # 123).

Based upon Plaintiff's Application contained in docket entry number 114, the Court will assess an initial partial filing fee of \$2.87. Upon payment of that initial partial filing fee, plaintiff will be obligated to make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to plaintiff's trust account each time the amount in the account exceeds \$10.00. Plaintiff's custodian is required to send to the Clerk of the Court the initial partial filing fee and thereafter payments from plaintiff's prison trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee of \$455.00 is paid in full. 28 U.S.C. § 1915(b)(2).

IT IS THEREFORE ORDERED that:

1. As Plaintiff's present custodian, the Director of the Arkansas Department of Correction or his designee is directed to collect from Plaintiff's institutional account an initial partial filing fee of \$2.87 and to forward that amount to the Clerk of this Court. The payment must be clearly identified by the name and number assigned to this action.

2. Thereafter, the Director of the Arkansas Department of Correction or his designee, or any future custodian, is directed to collect from Plaintiff's institutional account the \$452.13 balance of the filing fee by collecting monthly payments equal to 20% of the preceding month's income credited to Plaintiff's account each time the amount in the account exceeds \$10.00. The Director of the Arkansas Department of Correction or his designee, or any future custodian, is further directed to forward the payments to the Clerk of the Court in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$455.00 has been collected and forwarded to the Clerk. The payments also must be clearly identified by the name and number assigned to this action.

3. The Clerk of the Court is directed to send a copy of this Order to: (1) the Director of the Tucker Maximum Security Unit, Post Office Box 400, Grady, Arkansas, 71644-0400; 2) the ADC Trust Fund Centralized Banking Office, Post Office Box 8908, Pine Bluff, Arkansas, 71611; and (3) the Arkansas Department of Correction Compliance Office, Post Office Box 20550, Pine Bluff, Arkansas 71612-0550.

IT IS SO ORDERED this 28th day of October, 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE