

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

**LARRY WAYNE JONES,
ADC #70147**

PLAINTIFF

v.

CASE NO. 5:08cv00195 BSM

**ARKANSAS DEPARTMENT
OF CORRECTION, et al.**

DEFENDANTS

ORDER

On January 28, 2010, the Eighth Circuit Court of Appeals affirmed the judgment of this court, and granted plaintiff's motion for leave to proceed *in forma pauperis* [Doc. No. 74]. The court of appeals assessed the full \$455 in appellate filing and docketing fees and remanded for the collection of the fees.

Based on information contained in plaintiff's application for leave to proceed *in forma pauperis* on appeal [Doc. No. 68], the court will not assess an initial partial filing fee. Plaintiff, however, 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. The Arkansas Department of Correction ("ADC") is required to send to the clerk of the court payments from plaintiff's prison trust account each time the amount in the account exceeds \$10.00, until the statutory filing and docketing fees of \$455 are paid in full. 28 U.S.C. § 1915(b)(2).

IT IS THEREFORE ORDERED THAT:

1. The Director of the ADC, his designee, or any future custodian, shall collect

the \$455 filing and docketing fees from plaintiff's prison trust account by collecting from that account 20% of the preceding month's balance and sending payment to the clerk of court, all according to 28 U.S.C. § 1915(b)(2). The payments shall be clearly identified by the name and number assigned to this action.

2. The clerk of the court is directed to send a copy of this order to: (1) the Warden of the Varner Super Max Unit, P.O. Box 400 Grady, AR 71644-0400; (2) the ADC Trust Fund Centralized Banking Office, Post Office Box 8908, Pine Bluff, Arkansas, 71611; and (3) the ADC Compliance Office, P.O. Box 20550, Pine Bluff, Arkansas 71612-0550.

DATED this 24th day of February, 2010.



UNITED STATES DISTRICT JUDGE