

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

WILLIE LEE CARPENTER,	)	Case No. 1:07-cv-00114-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DENYING PLAINTIFF’S REQUEST
v.	)	TO RESCIND FILING FEE OVERPAYMENT
	)	
W.J. SULLIVAN, et al.,	)	[ECF No. 334]
	)	
Defendants.	)	
	)	
	)	

---

Plaintiff, Willie Lee Carpenter, filed the instant action pursuant to 42 U.S.C. § 1983 on January 22, 2007, and was granted in forma pauperis status on March 12, 2007.

On March 26, 2014, following a jury trial, judgment was entered in favor of all Defendants. (ECF No. 308.) Plaintiff filed a notice of appeal on

On September 29, 2017, Plaintiff filed a request for the Court to rescind the filing fee overpayment.

A review of the Court’s financial records indicates that \$8.16 was receipted as an overpayment and then transferred towards the outstanding appeal debt. A \$40.00 payment was reapplied, \$10 towards this case and \$30 towards case number 1:07-cv-00029-OWW-SMS, per the prison. Plaintiff’s civil filing fee has been paid in full, but there is presently an outstanding appeal balance of \$369.87.

///  
///

1 Accordingly, there is no outstanding overpayment that is due to Plaintiff, and his request to rescind the  
2 filing fee overpayment is denied.

3  
4 IT IS SO ORDERED.

5 Dated: January 16, 2018

  
UNITED STATES MAGISTRATE JUDGE