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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONNIE J. LAWSON,
Plaintiff,
v.
ALVARADO, et al.,
Defendants.

Case No. 1:16-cv-01706-BAM (PC)
ORDER DENYING RENEWED MOTION
FOR RELIEF FROM FILING FEE
(ECF No. 17)

Plaintiff Ronnie J. Lawson (“Plaintiff”), a federal prisoner proceeding pro se, filed this civil rights action pursuant to Bivens v. Six Unknown Fed. Narcotics Agents, 403 U.S. 388 (1971) on October 11, 2016. (ECF No. 1.) On May 4, 2017, the Court dismissed this action as duplicative of case number 1:14-cv-00576-EPG. (ECF No. 13.) Judgment was entered accordingly that same day. (ECF No. 14.)

On August 21, 2017, Plaintiff filed a letter, construed as a motion for relief from filing fees, seeking information regarding why he should continue to pay a filing fee to the Court following the dismissal of his case. (ECF No. 15.) The Court responded on August 29, 2017, denying the motion. (ECF No. 16.)

Currently before the Court is a renewed motion for relief from the filing fee, filed March 20, 2019, wherein Plaintiff argues that the encumbrance of funds in his account for payment of the filing fee is a cruel and unusual punishment, and requests that a judge lift the encumbrance.

1 (ECF No. 17.)

2 As Plaintiff has been informed, earlier in this case, the Court granted Plaintiff's motion to
3 proceed in forma pauperis. (ECF No. 10.) It was explained to Plaintiff that he was obligated to
4 pay the statutory filing fee of \$350.00 for this action, in monthly payments of twenty percent of
5 the preceding month's income credited to his trust account. (Id. at 2.) The Warden of USP-
6 Lewisburg or his designee was ordered to send to the Clerk of the court payments from Plaintiff's
7 account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid
8 in full. (Id. (citing 28 U.S. § 1915(b)(2))). The entire \$350.00 filing fee is statutorily required,
9 and must be collected from Plaintiff's institutional account regardless of the outcome of this
10 action. See, e.g., Myers v. Pulido, No. 1:16-cv-00638-SAB-PC, 2016 WL 6723937, at *1 (E.D.
11 Cal. Nov. 14, 2016). As a result, Plaintiff's renewed motion to be relieved of the obligation to
12 pay this fee is denied.

13 Accordingly, IT IS HEREBY ORDERED that Plaintiff's renewed motion for relief from
14 filing fee (ECF No. 17) is DENIED. **Any further motions raising this issue will be summarily**
15 **denied.**

16
17 IT IS SO ORDERED.

18 Dated: March 26, 2019

18 /s/ Barbara A. McAuliffe
19 UNITED STATES MAGISTRATE JUDGE