

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-02303-WYD-MJW

MR. RALPH MERCADO,

Plaintiff,

v.

MR. R. WOOD, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion to Correct Assessment of Filing Fee Payments (Docket No. 112) is denied. No corrections are warranted. If plaintiff cannot make the monthly payment required by the Order Directing Clerk to Commence Civil Action and Granting Plaintiff Leave to Proceed Pursuant to 28 U.S.C. § 1915 issued on November 16, 2006 (Docket No. 2), he shall follow the procedure stated in that order for showing cause why he has no assets and no means by which to pay the monthly payment. Furthermore, the court will not waive the filing fee in this action or credit the amount paid to date toward plaintiff's appellate fees. There is no statutory provision providing for such a waiver or credit when an earlier case is dismissed without prejudice.

Date: March 19, 2009
