

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01268-MSK-KLM

ERNEST WEST,

Plaintiff,

v.

COLORADO DEPARTMENT OF CORRECTIONS;  
CAPTAIN SCOTT, Sterling Corrections;  
JOANN STOCK, Sterling Medical;  
MR. ESTEP, CMRC Director;  
MR. YOUNGBLOOD;  
MR. YEATON, Unit Manager CMRC; and  
MS. CALLWELL, CMRC Medical,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on Plaintiff's **Motion to Have 20% Garnishment Order from District Court to Deduct from Inmate Account** [Docket No. 10; Filed June 18, 2009] (the "Motion").

Under the specific language of the Court's Order granting leave to proceed under 28 U.S.C. § 1915 [Docket No. 2; filed Jun 1, 2009], the responsibility for ensuring that the monthly filing payments are made, or demonstrating why such a payment cannot be made, remains with the plaintiff. This is the standard practice of the United States District Court for the District of Colorado in all prisoner cases. It is *not* the standard practice of the United States District Court for the District of Colorado to issue garnishment orders, and such an order is not available from this Court. As such, Plaintiff must monitor his own financial resources and work within the applicable rules and regulations existing at the facility where he is incarcerated to ensure that his monthly filing fee obligations are met. Plaintiff must make the required monthly payments or show cause **each** month why he has no assets and no means by which to make the monthly payment. Plaintiff is cautioned that failure to comply with his filing fee obligations, under § 1915(b)(2) may result in dismissal of this action

IT IS HEREBY **ORDERED** that the Motion is **DENIED**.

Dated: June 29, 2009