

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

GEORGE JAMES,

Plaintiff,

v.

Case No. 5:10-cv-048-Oc-30GRJ

M. TEJERA, et al.,

Defendants.

_____ /

ORDER

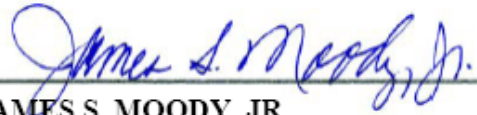
Before the Court is Plaintiff's Motion for Leave to Appeal *In Forma Pauperis*. (Doc. 17). Upon due consideration, the Court finds that Plaintiff's appeal is not taken in good faith, as Plaintiff has not identified a nonfrivolous issue for appeal. See 28 U.S.C. 1915(a)(3); Fed. R. App. P. 24(a)(3)(A). Accordingly, Plaintiff's Motion for Leave to Appeal *in forma pauperis* (Doc. 17) is **DENIED**.

Plaintiff is required to pay an initial partial filing fee of **\$13.72** as provided in 28 U.S.C. § 1915(b)(1)(A); however, Plaintiff is hereby assessed the \$455.00 appellate filing and docketing fees in this case. Plaintiff shall be required to make monthly payments of 20 percent of his preceding month's income credited to his account. The agency having custody of Plaintiff shall forward these payments from the Plaintiff's account to the Clerk of the Court each time the amount in the account exceeds \$10, until the filing fees are paid in full.

Plaintiff shall make these payments to the Clerk of the Court with a check from a penal institution, a cashier's check, or a money order made payable to "Clerk, U.S. District Court." The following information shall either be included or attached thereto: (1) the full name of the prisoner; (2) the prisoner's inmate number; and, (3) Middle District of Florida Case Number. Checks or money orders which do not have this information will be returned to the penal institution.

Plaintiff is warned that he is ultimately responsible for full payment of the appellate filing and docketing fees should the agency with custody over him lapse in its duty to make payments on his behalf. For this reason, if Plaintiff is transferred to another institution, he should ensure that the new institution is informed about this appeal and the required monthly payments as set out herein. Plaintiff is advised to retain a copy of this Order for this purpose. The **Clerk** is directed to send a copy of this Order to the Budget and Accounting Officer at Plaintiff's current place of incarceration.

DONE and **ORDERED** in Tampa, Florida on February 14, 2011.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

cc: George James