

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CHRISTOPHER ORLOSKI,

Plaintiff,

v.

Case No: 8:17-cv-553-T-27AAS

VINCENT HOUSE, VAN GOGH'S
PALETTE, INC., LIGIA GÓMEZ,
WILLIAM MCKEEVER, ELLIOTT
STEELE,

Defendants.

ORDER

Before the court is Plaintiff's Motion for Payment of Fees on Payment Plan. (Doc. 15).

On March 7, 2017, Plaintiff filed his initial Application to Proceed in District Court Without Prepaying Fees or Costs, which the Court construed as a motion for leave to proceed *in forma pauperis*. (Doc. 2). The Court denied Plaintiff's request after determining he has the ability to pay the filing fee. (Doc. 5). On March 13, 2017, Plaintiff filed a motion for reconsideration, which was also denied. (Docs. 8, 14).

Pursuant to Rule 4.07(a), Rules of the United States District Court for the Middle District of Florida, when a party requests to proceed *in forma pauperis* the Court "may enter such other orders as shall seem appropriate to the pendency of the cause, including an order that the party seeking leave to proceed *in forma pauperis* shall pay a stated portion of the Clerk's and/or Marshal's fees within a prescribed time." Here, the Court is satisfied that a reduced filing fee and a payment plan, if necessary, is appropriate.

Accordingly, it is **ORDERED**:

(1) Plaintiff's Motion for Payment of Fees on Payment Plan (Doc. 15) is **GRANTED in part and DENIED in part**. The Court will allow Plaintiff to proceed with a reduced filing fee of \$200. The total reduced filing fee shall be paid by **May 31, 2017**, but may be paid earlier if Plaintiff elects to do so. Plaintiff's failure to timely pay this reduced filing fee may result in dismissal of this matter without further notice. *See* Local Rule 3.10(a), M.D. Fla.

(2) After payment has been received, Plaintiff is **DIRECTED** to obtain the appropriate summons forms, and "Process, Receipt, and Return" form for service by United States Marshal.¹ Plaintiff shall complete and return the forms to the Clerk within twenty (20) days after full payment, whereupon the United States Marshal is **DIRECTED** to serve process in this case upon the appropriate parties. The 90 day deadline for service under Federal Rule of Civil Procedure 4(m) is tolled pending complete payment of the reduced filing fee.

DONE and ORDERED at Tampa, Florida this 30th day of March, 2017.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

¹ The forms can be found at the "Forms, Policies, and Publications" section, "Civil" subsection, of this Court's website at <http://www.flmd.uscourts.gov>. If Plaintiff does not have access to the Internet to download this form, Plaintiff may obtain the form by contacting the Clerk's Office at 813-301-5400.