

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

JOSEPH CHESTER PARZYCK, III,  
Plaintiff,

vs.

5:07cv107/RS/MD

PRISON HEALTH SERVICES, et al.  
Defendants.

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**ORDER GRANTING LEAVE TO PROCEED  
IN FORMA PAUPERIS**

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This cause is before the court upon plaintiff's filing a civil rights complaint under 42 U.S.C. §1983 and an application for leave to proceed *in forma pauperis*. Good cause has been shown and leave to so proceed should be granted.

Accordingly it is ORDERED that:

1. Plaintiff's motion for leave to proceed *in forma pauperis* (doc. 2) is GRANTED to the extent that the case may proceed without the prepayment of the entire filing fee.
2. The clerk of court shall assess plaintiff **\$0.00** as an initial partial filing fee as provided in 28 U.S.C. § 1915(b)(1)(A). The total filing fee in this case is \$350.00.
3. As funds become available in plaintiff's prison account, he shall be required to make monthly payments of 20 percent of the preceding month's income (that is, all funds deposited into the account) for each case he has pending in this court.<sup>1</sup> The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of court each time the amount in the account exceeds \$10 until the filing fee of \$350.00 is paid. A check from a penal institution, a cashier's check, or a money order

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<sup>1</sup>Thus, prisoners who have filed more than one case may be required to make payments totaling 40%, 60%, 80% or even 100% of their monthly deposits.

should be made payable to "Clerk, U.S. District Court." Personal checks directly from prisoners will not be accepted. The following information shall either be included on the face of the check or money order or attached thereto:

- (1) the full name of the prisoner;
- (2) the prison's inmate number; #964597 and
- (3) Northern District of Florida Case Number (i. e., 5:07cv107/RS/MD).

Checks or money orders which do not have this information will be returned to the penal institution or to plaintiff.

4. The clerk of court shall MAIL a copy of this order, with the appropriate cover letter, to: Department of Corrections, 2601 Blainstone Road, Tallahassee, FL 32399-2500, Attention: Agency Clerk.

5. Plaintiff is warned that he is ultimately responsible for payment of the filing fee in every case he has filed should the agency with custody over him lapse in its duty to make payments on his behalf. If plaintiff spends funds that should have been forwarded to the court as per the payment formula above, his case may be dismissed for non-payment. Furthermore, if plaintiff is transferred to another jail or correctional institution, he should ensure that the new institution is informed about his federal litigation and the required monthly payments. Plaintiff is advised to retain a copy of this order for this purpose. Finally, plaintiff is advised that dismissal or other disposition of an action will NOT relieve him of the obligation to pay the full filing fee in that case.

DONE AND ORDERED this 23<sup>rd</sup> day of May, 2007.

/s/ *Miles Davis*

**MILES DAVIS  
UNITED STATES MAGISTRATE JUDGE**