

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

EDWARD STARLING,

Plaintiff,

v.

C. ASHLEY ROYAL,

Defendant.

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Civil Action No.
5:09-CV-393(HL)

ORDER

Plaintiff Edward Starling has filed a motion to strike the Court's order dismissing his complaint as frivolous and denying his motion for default judgment as moot (Doc. 5).

On February 2, 2010, the Court determined that Plaintiff was proceeding in forma pauperis ("IFP") because he did not pay the required filing fee. After the Court dismissed Plaintiff's complaint as frivolous and after judgment was entered closing the case, Plaintiff paid the \$350 filing fee and filed his motion to strike.

Plaintiff paid the filing fee too late. His case was closed when he paid the fee. The Clerk's office is directed to return to Plaintiff the \$350 fee. Plaintiff's motion to strike, construed as a motion for reconsideration, is denied because it provides no reason for the Court to deviate from its finding that his complaint is frivolous.

SO ORDERED, this the 23rd day of July, 2010.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

lmc