

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

WESLEY EUGENE DOLLAR,	:	
	:	
Plaintiff	:	
	:	
VS.	:	NO. 5:10-CV-208 (MTT)
	:	
ALAN CARTER, <i>et al.</i> ,	:	
	:	
Defendants	:	

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**ORDER**

On July 26, 2011 this Court adopted the United States Magistrate Judge's Recommendation that Plaintiff's 42 U.S.C. § 1983 action be dismissed. (Doc. 54). On August 11, 2011, Plaintiff filed a motion to proceed *in forma pauperis* on appeal (Doc. 58) and on September 8, 2011, the Court denied this motion. (Doc. 63). On September 15, 2011, Plaintiff filed a second motion to proceed *in forma pauperis* on appeal (Doc. 65) and the Court denied this motion on September 16, 2011. (Doc. 68). On October 19, 2011, Plaintiff filed a third motion to proceed *in forma pauperis* on appeal (Doc 75) and the Court denied this motion on October 20, 2011. (Doc. 76). Undeterred by these three denials, Plaintiff has filed a fourth motion to proceed *in forma pauperis* on appeal. (Doc. 77). As explained previously, in the Court's best judgment an appeal from its July 26, 2011 Order cannot be taken in good faith. 28 U.S.C. § 1915(a)(3).

Having been carefully considered, plaintiff's fourth motion to proceed *in forma pauperis* on appeal is hereby **DENIED**.

As explained previously, if Plaintiff wishes to proceed with his appeal, he must pay the entire \$455.00 appellate filing fee. Because Plaintiff has stated that he cannot pay

the \$455.00 immediately, he must pay using the partial payment plan described under 28 U.S.C. § 1915(b). Pursuant to §1915(b), the prison account custodian where Plaintiff is incarcerated shall cause to be remitted to the Clerk of this Court monthly payments of 20% of the preceding month's income credited to Plaintiff's account until the \$455.00 appellate filing fee has been paid in full. Twenty percent of any deposits into the prisoner's account shall be withheld by the prison account custodian who, on a monthly basis, shall forward the amount withheld from the prisoner's account to the Clerk of this Court each time the amount in the account exceeds \$10.00 until the total filing fee of \$455.00 has been paid. Checks should be made payable to "Clerk, U.S. District Court."

The Clerk of Court is **DIRECTED** to mail a copy of this Order to the custodian of the prison in which Plaintiff is incarcerated.

**SO ORDERED AND DIRECTED** this 14th day of November, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

Inb