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

RANDY SIMMONS,	:	
Plaintiff	:	
VS.	:	NO. 7:07-CV-36 (HL)
Warden DARRELL HART, *et al.*,	:	PROCEEDINGS UNDER 42 U.S.C. § 1983 BEFORE THE U.S. MAGISTRATE JUDGE
Defendants	:	**O R D E R**

Plaintiff **RANDY SIMMONS**, an inmate at Valdosta State Prison in Valdosta, Georgia, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. He also seeks leave to proceed without prepayment of the filing fee or security therefor pursuant to 28 U.S.C. § 1915(a). As it appears that plaintiff is unable to pay the cost of commencing this action, plaintiff's application to proceed *in forma pauperis* is hereby **GRANTED**.

However, even if a prisoner is allowed to proceed *in forma pauperis*, he must nevertheless pay the full amount of the $350.00 filing fee. 28 U.S.C. § 1915(b)(1). As stated above, plaintiff is unable to pay the entire $350.00 filing fee at this time. However, plaintiff does have sufficient funds in his prison account to pay a portion of this amount. Therefore, pursuant to 28 U.S.C. § 1915(b)(1)(A), it is hereby **ORDERED** that plaintiff pay an initial partial filing fee of $10.00 to the clerk of this court.

Plaintiff shall have thirty (30) days from the date of his receipt of this order to pay the required initial partial filing fee to the Clerk of the Court. Failure to comply with this order shall result in the dismissal of plaintiff's complaint. The Clerk is directed to file the complaint, but there shall be no service of process in this case until further order of the Court.

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SO ORDERED, 13th day of April, 2007.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE