

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

RAYMOND CARTER, JR., :  
 :  
 Plaintiff :  
 :  
 VS. :  
 :  
 JOHN MARION, *et al.*, :  
 :  
 Defendants :  
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 :

NO. 7:12-cv-76 (HL)

**ORDER**

*Pro se* Plaintiff **RAYMOND CARTER, JR.**, a prisoner at Jenkins Correction Center, has filed a motion to proceed *in forma pauperis* (“IFP”) on appeal (Doc. 89). Plaintiff filed this action under 42 U.S.C. § 1983. Plaintiff’s claims related to Defendants’ use of canines while Plaintiff was hiding under a mobile home. By Order dated September 16, 2013, the Court granted summary judgment with respect to the initial release of Defendant Glassner’s canine and the release of Defendant Marion’s canine (Doc. 53). A jury trial was held as to Defendant Glassner allowing his canine to continue to attack Plaintiff and Defendants Marion, Englemann, and Grundy failing to intervene. In the instant filing, Plaintiff states that he is not appealing the jury verdict, but the Court’s granting of partial summary judgment in favor of the Defendants.

To grant Plaintiff IFP status, the Court must find that Plaintiff cannot pay the required \$505.00 appellate filing fee, and that the appeal is taken in good faith. 28 U.S.C. § 1915(a). A review of Plaintiff’s affidavit of indigence reveals that he is unable to pay the appellate filing fee. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that the appeal is taken in good faith. Accordingly, Plaintiff’s motion to proceed IFP on appeal is hereby **GRANTED**.

Plaintiff is nevertheless obligated to pay the entire appellate filing fee, using the installment payment plan described in 28 U.S.C. § 1915(b). The prison account custodian 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 (to the extent the account balance exceeds \$10) until the \$505 appellate filing fee has been paid in full. The Clerk of Court is directed to send a copy of this Order to the business manager at Plaintiff's place of incarceration.

**SO ORDERED**, this 2<sup>nd</sup> day of April, 2014.

*s/ Hugh Lawson*  
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HUGH LAWSON  
UNITED STATES DISTRICT JUDGE

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