

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SALEEBAN ADAN,

Plaintiff,

v.

1:14-cv-1274-WSD

FADUMA ALL, his mother,

Defendant.

OPINION AND ORDER

This matter is before the Court on Plaintiff Saleeban Adan's ("Plaintiff") Motion to Return Money [19].

On October 16, 2014, Plaintiff filed his "Motion to Refund" [14], in which he sought the return of \$302 taken from his inmate account. On November 19, 2014, the Court entered an Order [17] dismissing this action without prejudice, and denying Plaintiff's Motion to Refund. In denying Plaintiff's Motion to Refund, the Court noted as follows:

Plaintiff alleges that the Court withdrew [\$302 from his inmate account] without his knowledge or consent. Throughout this litigation, Plaintiff was warned that he must either pay the \$400 filing fee or submit a financial affidavit seeking leave to proceed *in forma pauperis*. Plaintiff has previously indicated to the Court that he is willing to pay the filing fee. On September 8, 2014, Plaintiff began to pay the filing fee in monthly installments of \$24.00. To date, Plaintiff has paid \$72 towards his filing fee. To the extent Plaintiff seeks a

refund of \$72, the Court has no statutory authority to grant Plaintiff's request. Under the Prison Litigation Reform Act, a prisoner is required to pay all installments of a filing fee until it is paid in full, and there is no exception for a dismissed lawsuit. See Holt v. Bengton, 161 F.3d 17 (10th Cir. 1998). The Motion for Refund is denied.

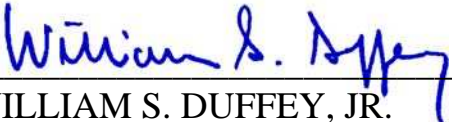
(November 19, 2014, Order at 3 n.1).

Plaintiff now appears to renew his request for a return of money taken from his prison account. Plaintiff's request is denied for the same reasons the Court denied his Motion to Refund. The Court does not have statutory authority to grant Plaintiff's request, and he is required to pay all installments of his filing fee until it is paid in full. See Holt v. Bengton, 161 F.3d 17 (10th Cir. 1998).

Accordingly, for the foregoing reasons,

IT IS HEREBY ORDERED that Plaintiff's Motion to Return Money [19] is **DENIED**.

SO ORDERED this 1st day of April, 2016.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE