

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WARREN B. KATZ,) CIVIL NO. 08-00489 SOM-LEK
vs. Plaintiff,)
vs.) ORDER GRANTING PLAINTIFF'S
UNITED STATES OF AMERICA and) MOTION FOR EXTENSION OF TIME
BUREAU OF PRISONS,) TO ARRANGE PAYMENT OF FILING
Defendants.) FEE

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ORDER GRANTING PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO ARRANGE PAYMENT OF FILING FEE

On December 1, 2008, pro se Plaintiff Warren B. Katz, an inmate incarcerated at the Federal Detention Center ("FDC") in Honolulu, Hawaii, filed a document titled "Motion for Extension of Time to Make Payment of Filing Fee." The court GRANTS the motion, and Plaintiff is given an extension of thirty days in which to pay the \$350.00 filing fee for commencing his action, or submit an application to proceed *in forma pauperis*. On or before **December 29, 2008**, Plaintiff must either pay the statutory filing fee for commencing this case, or submit a fully completed and sufficient *in forma pauperis* application. Failure to do so may result in **DISMISSAL** of this action for failure to prosecute or otherwise follow a court order. See Fed. R. Civ. P. 41(b); *Olivares v. Marshall*, 59 F.3d 109, 112 (9th Cir. 1995); *In re Perroton*, 958 F.2d 889, 890 (9th Cir. 1992).

Plaintiff is again notified that all parties instituting **any civil action, suit or proceeding** in a United States district court, other than a writ of habeas corpus, must pay a filing fee of \$350.00. See 28 U.S.C. § 1914(a).

Plaintiff is **NOTIFIED** that, even if *in forma pauperis* application is granted, as a prisoner Plaintiff will still be required to pay the full \$350.00 filing fee, although installment payments may be assessed, depending upon the amount of funds available in Plaintiff's prison trust account. Further, Plaintiff must submit his *in forma pauperis* application on the court's form, and include a certified copy of Plaintiff's prison trust account activity for the six-month period immediately preceding the filing of his Complaint. 28 U.S.C. § 1915(a)(1) and (2).

The Clerk is **DIRECTED** to send Plaintiff a copy of the Court's *in forma pauperis* application with instructions for completing it.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, December 1, 2008.



/s/ Susan Oki Mollway
Susan Oki Mollway
United States District Judge

Katz v. U.S., et al., Civ. No. 08-00489 SOM-LEK; ORDER GRANTING PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO ARRANGE PAYMENT OF FILING FEE