

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

LARRY SARTORIUS,)	
)	
Plaintiff,)	
)	
v.)	No. 17-CV-1448
)	
ALTON ANGUS, et al.,)	
)	
Defendants.)	

ORDER

SUE E. MYERSCOUGH, U.S. DISTRICT JUDGE.

On October 3, 2017, Plaintiff sent a letter seeking transfer out of Taylorville Correctional Center to federal custody. The Court explained that the Court could not order Plaintiff’s transfer and gave Plaintiff an opportunity to file a complaint if he wanted to challenge incidents at Taylorville Correctional Center.

Plaintiff filed a proposed amended complaint and petition to proceed in forma pauperis, but then he sent a letter to chambers alleging that the Warden at Danville Correctional Center had threatened bodily harm or possibly death to Plaintiff. (d/e 10.) Magistrate Judge Schanzle-Haskins held a hearing on Plaintiff’s letter and issued a Report and Recommendation. (d/e 10.)

Magistrate Schanzle-Haskins found that Plaintiff was not in danger and recommended that Plaintiff's request for a transfer be denied.

No objections have been filed to the Report and Recommendation. The Court has reviewed the Recommendation and finds no reason not to accept the Recommendation in its entirety.

Also before the Court is Plaintiff's petition to proceed in forma pauperis. Plaintiffs who are financially able must pay the full \$400 filing fee upon filing a lawsuit. If an inmate is granted in forma pauperis status, a reduced filing fee of \$350 is collected in installments rather than all at once. 28 U.S.C. § 1915(b)(1).

Plaintiff's three-month prisoner trust fund ledger from August 3, 2017 through October 11, 2017, shows that Plaintiff received \$200 each month from an outside source. Plaintiff should have been able to save those amounts until he had \$400 to pay for the filing fee. In October of 2017, when Plaintiff sent his first letter, he had a balance of \$317.95 in his account. On this record, Plaintiff appears able to pay the \$400 filing fee. Plaintiff's petition to proceed in forma pauperis will be denied and this case closed for

failure to pay the filing fee. Plaintiff may move to reopen the case with payment of the \$400 filing fee.

IT IS ORDERED:

(1) Magistrate Schanzle-Haskins' Report and Recommendation is adopted in full. (d/e 13.) To the extent Plaintiff seeks a preliminary injunction transferring him to a different prison, the request is denied. (d/e 10.)

(2) Plaintiff's petition to proceed in forma pauperis is denied. (d/e 5.)

(3) This case is dismissed, without prejudice, for Plaintiff's failure to pay the \$400 filing fee.

(4) All other pending motions are denied as moot. (d/e's 4, 6, 8, 9.)

(5) By February 28, 2018, Plaintiff may file a motion to reopen this case, attaching payment of the \$400 filing fee.

(6) The clerk is directed to close this case.

ENTER: 1/25/2018
FOR THE COURT:

s/Sue E. Myerscough
SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE