

United States District Court, Northern District of Illinois

| | | | |
|---|--|---|------------------|
| Name of Assigned Judge or Magistrate Judge | VIRGINIA M. KENDALL | Sitting Judge if Other than Assigned Judge | |
| CASE NUMBER | 09 C 7344 | DATE | January 19, 2012 |
| CASE TITLE | Talmon Hegwood, Jr. (#N-81140) v. City of Berwyn, et al. | | |

DOCKET ENTRY TEXT:

The Court's Minute Order of December 2, 2011, is amended to reflect that Plaintiff must pay the appeal fees in installments, notwithstanding his *in forma pauperis* status. The trust fund officer at Plaintiff's place of confinement is authorized and ordered to make deductions and payments as set forth herein. The Clerk is directed to send copies of this order to the trust fund officer at the East Moline Correctional Center and the PLRA Attorney, U.S. Court of Appeals for the Seventh Circuit.

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff, a state prisoner, has brought this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims, essentially, that he was falsely arrested for a probation violation, maliciously prosecuted for a theft purportedly discovered while he was being booked at the jail, and that he was subjected to inhumane conditions of confinement while a pretrial detainee.

By Memorandum Opinion and Order of September 2, 2011, the Court granted Defendants' motion for summary judgment on all federal claims and dismissed all asserted pendent state law claims without prejudice. Plaintiff has appealed the final judgment.

On December 2, 2011, the Court denied Plaintiff's motion to alter or amend judgment, but granted his motion, in the alternative, for leave to proceed on appeal *in forma pauperis*. However, the Court neglected to assess an initial partial filing fee and order installment payments toward the appeal fees, as required by the Prison Litigation Reform Act. See 28 U.S.C. § 1915(b)(1).

Accordingly, the Court hereby assesses Plaintiff an initial partial filing fee of \$17.20. The trust fund officer at Plaintiff's place of incarceration is authorized and ordered to collect, when funds exist, the partial filing fee from Plaintiff's trust fund account and pay it directly to the Clerk of Court. After payment of the initial partial filing fee, the trust fund officer at the correctional facility where Plaintiff is confined is directed to collect monthly

(CONTINUED)

mjm

STATEMENT (continued)

payments from Plaintiff's trust fund account in an amount equal to 20% of the preceding month's income credited to the account. Monthly payments collected from Plaintiff's trust fund account shall be forwarded to the Clerk of Court each time the amount in the account exceeds \$10 until the full \$455 appellate docketing fee is paid. All payments shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor, and shall clearly identify Plaintiff's name and the case number assigned to this action. These deductions and payments shall be in addition to any other deductions and payments previously ordered by this or any other Court with respect to this or any other action. This payment obligation will follow Plaintiff wherever he may be transferred.

The Clerk is directed to send copies of this order to the trust fund officer at the East Moline Correctional Center and the PLRA Attorney, United States Court of Appeals for the Seventh Circuit.