

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTHONY G. BROWN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13 C 6866
)	
DR. IMHOTEP CARTER, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

At the outset of this case this Court took the unusual step of granting the motions of pro se prisoner plaintiff Anthony Brown ("Brown") to proceed in forma pauperis ("IFP") and to be provided the services of a pro bono counsel, even though Brown had not then complied with the provisions of 28 U.S.C. § 1915 ("Section 1915") -- see this Court's October 1, 2013 memorandum order granting such relief and explaining the reasons for doing so. Unfortunately it has taken several months for Brown to provide the then-missing information.¹ It was not until November 22 that Brown's hand-printed declaration arrived in the Clerk's Office (Dkt. 17) that identified September 8, 2013 as the date when Brown had "filed" the Complaint (as measured by the "mailbox rule"), and it was not until April 29, 2014 that the supplemental printout of transactions in Brown's trust fund account at Stateville Correctional Center ("Stateville," where he is in custody) finally arrived in the Clerk's Office (Dkt. 47).

¹ So much for the clouded crystal ball evinced by the October 1 statement that this Court was operating "on the premise that the deficiency referred to above can and will be cured promptly."

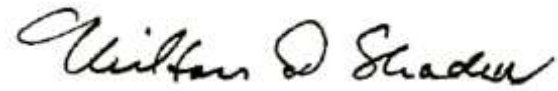
This Court has made the calculation called for by Section 1915(b)(1), and it has determined that the average monthly deposits to Brown's trust fund account during the relevant six-month period came to \$40.61, 20% of which (id.) is \$8.12. And because Brown has paid neither that initial partial filing fee nor the monthly payment amounts called for by Section 1915(b)(2), this Court has also made the latter calculation and finds that those further 20% payments on account through February 11, 2014 amount to \$62.27, so that Brown now owes the sum of \$70.39 on account of the \$350 filing fee. Accordingly Brown is assessed that up-front initial fee of \$70.39, and the Stateville trust fund officer is ordered to collect that amount from Brown's trust fund account there as soon as is feasible and to pay it directly to the Clerk of Court ("Clerk"):

Office of the Clerk
United States District Court
219 South Dearborn Street
Chicago IL 60604

Attention: Fiscal Department

After such payment, the trust fund officer at Stateville (or at any other correctional facility where Brown may hereafter be confined) is authorized to collect monthly payments from his trust fund account in an amount equal to 20% of the preceding month's income credited to the account (including any additional February 2014 income received after February 11). Monthly payments collected from the trust fund account shall be forwarded to the Clerk each time the amount in the account exceeds \$10 until the full \$350 filing fee is paid. Both the initial payment and all future payments shall clearly identify Brown's name and the 13 C 6866 case number

assigned to this action. To implement these requirements, the Clerk shall send a copy of this order to the Stateville trust fund officer.



Milton I. Shadur
Senior United States District Judge

Date: May 7, 2014