

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JARVIS LAMAR POSTLEWAITE,

Plaintiff,

v.

No. 14-cv-930-JPG-PMF

WARDEN TREDWAY, WARDEN
MOORE, CHAPLIN VAUGHN,
COUNSELOR WILLIAMS, SALVADOR
GODINEZ, WARDEN DUNCAN,
UNKNOWN DIETARY SUPERVISORS,
UNKNOWN MAILROOM SUPERVISORS,
and PHILLIP MARTIN,

Defendants.

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Jarvis Lamar Postlewaite's motion to proceed without paying the initial partial filing fee (Doc. 44). The Court assessed an initial partial filing fee of \$10.07 in this case, but Postlewaite claimed to have some problem coming up with this amount in light of his transfer to a different institution. He now asks the Court to relieve him entirely of the obligation to pay the initial partial filing fee because he does not have the funds. He claims he cannot demonstrate this because the prison in which he is housed refuses to provide an inmate trust fund statement.

In these circumstances, the Court cannot excuse Postlewaite from his statutory obligation to pay the initial partial filing fee, but believes it appropriate to order Postlewaite to provide an updated 6-month inmate trust fund statement and stay this case until Postlewaite's alleged financial situation is corroborated. Accordingly, the Court:

- **DENIES** his motion to proceed without paying the initial partial filing fee (Doc. 44);
- **ORDERS** Postlewaite to provide on or before November 23, 2015, an inmate trust fund

statement showing the activity in his trust fund for the last 6 months;

- **ORDERS** Postlewaite to provide an updated inmate trust fund statement every 90 days thereafter;
- **STAYS** this case pending further order of the Court; and
- **RESERVES RULING** on the pending Report and Recommendation (Doc. 40).

IT IS SO ORDERED.

DATED: November 5, 2015

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE