

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MAURICE GILLESPIE,)	
)	
Plaintiff,)	
)	
v.)	No. 1:20-cv-01855-JPH-TAB
)	
FEDERAL CORRECTIONAL INSTITUTION)	
CUMBERLAND, et al.)	
)	
Defendants.)	

ORDER

On July 24, 2020, the Court granted Mr. Gillespie's motion to proceed *in forma pauperis*, assessed an initial partial filing fee of \$20.47, and ordered Mr. Gillespie to pay the initial partial filing fee by August 20, 2020. The Court reminded Mr. Gillespie that although he was excused from prepaying the full filing fee, he remained obligated for the \$350.00 filing fee. On August 18, 2020, Mr. Gillespie filed a motion to waive the \$350.00 filing fee. In support, Mr. Gillespie argues that his sister makes a monthly deposit in his inmate trust account each month and that due to restrictions in place in response to the COVID-19 pandemic, he has not yet been approved for prison employment.

The Prison Litigation Reform Act provides that even if a prisoner is allowed to proceed in a civil action without prepaying the filing fee, "the prisoner shall be required to pay the full amount of a filing fee." 28 U.S.C. § 1915(b)(1). A district court has no authority to waive this obligation. *Butler v. Deal*, 794 F.App'x 542, 543 (7th Cir. 2020). Accordingly, Mr. Gillespie's motion to waive the \$350.00 filing fee, dkt. [11], is **denied**. He is ordered to pay the initial partial filing fee by September 25, 2020. Failure to meet this deadline will result in the dismissal of the action without prejudice to refiling within the statute of limitations.

SO ORDERED.

Date: 9/8/2020

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

MAURICE GILLESPIE
CUMBERLAND - FCI
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