

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

PAUL ALBA, JR. # 61319-080 PLAINTIFF
VS. CIVIL ACTION NO. 5:10-cv-49(DCB)(MTP)
DELORES RANDLE, ET AL. DEFENDANTS

ORDER REGARDING FILING FEE ASSESSMENT

On August 3, 2011, this Court entered an Order denying the plaintiff's motion to proceed on appeal IFP on the basis that the appeal is not taken in good faith. The Court now addresses the filing fee. "A prisoner litigant ... whose appeal has been certified as taken in bad faith, must pay the full filing fee and other costs when due, without the benefit of the accommodating assessment procedures found in [Title 28] section 1915(b)." Baugh v. Taylor, 117 F.3d 197, 200 (5th Cir. 1997). Accordingly,

IT IS HEREBY ORDERED that the plaintiff is granted thirty (30) days from the date of this Order to pay to the Clerk of Court the requisite appellate filing fee of \$455.00, subject to dismissal of the appeal for want of prosecution if he fails to timely pay.

SO ORDERED, this the 16th day of August, 2011.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE