

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

|                      |   |                       |
|----------------------|---|-----------------------|
| DEVIN MOSLEY,        | ) |                       |
|                      | ) |                       |
| Plaintiff,           | ) |                       |
|                      | ) |                       |
| v.                   | ) | No. 1:16-cv-00297-RLW |
|                      | ) |                       |
| IAN WALLACE, et al., | ) |                       |
|                      | ) |                       |
| Defendants,          | ) |                       |

**MEMORANDUM AND ORDER**

This matter is before the Court on remand from the United States Court of Appeals for the Eighth Circuit for the limited purpose of determining plaintiff Devin Mosley’s in forma pauperis status and assessing appellate filing fees pursuant to 28 U.S.C. § 1915. (Docket No. 50). Plaintiff has not paid the appellate filing fee or filed a motion for leave to proceed in forma pauperis on appeal. As a result, the Court will order plaintiff to either pay the full appellate filing fee or file a motion for leave to proceed in forma pauperis. If plaintiff files a motion for leave to proceed in forma pauperis, he **must** provide the Court with a certified copy of his prison account statement as required by 28 U.S.C. § 1915(a).


Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall, within **thirty (30) days** of the date of this order, either pay the full \$505 appellate filing fee or file a motion for leave to proceed in forma pauperis on appeal.

**IT IS FURTHER ORDERED** that if plaintiff files a motion for leave to proceed in forma pauperis, he must provide a certified copy of his prison account statement for the six-month period immediately preceding the filing of the notice of appeal.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail to plaintiff a copy of the Motion to Proceed in Forma Pauperis – Prisoner Cases form.

Dated this 23<sup>rd</sup> day of September, 2019.

  
RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE