

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

JONATHAN D. SMITH-EL,

Plaintiff,

v.

A CONSTRUCTION COMPANY, et al.,

Defendants.

No. 4:16-CV-01743-JAR

**MEMORANDUM AND ORDER**

Plaintiff has filed a notice of appeal but has failed to pay the statutory filing fee [Doc. #8]. Consequently, the Court will order plaintiff to pay the full \$505 filing fee. Additionally, the Court notes that plaintiff may not proceed in forma pauperis on appeal, because he has incurred more than three "strikes" pursuant to 28 U.S.C. § 1915(g).<sup>1</sup>

Accordingly.


**IT IS HEREBY ORDERED** that within thirty (30) days from the date of this Order, plaintiff shall pay to this Court the full \$505 fee for filing an appeal. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for the appeal of the instant action.

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<sup>1</sup>See *Smith v. State of Missouri*, No. 15-2388 (8<sup>th</sup> Cir. December 29, 2015); *Smith-El v. Bowersox*, 03-3457-CV-S-RED-P (W.D.Mo. 2004); *Smith v. Lhotka*, 4:97CV1940 (E.D.Mo. 1997).

**IT IS FURTHER ORDERED** that plaintiff shall file any future document or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 28<sup>th</sup> day of November, 2016.

  
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**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**