

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

JOVICA PETROVIC,)	
)	
Plaintiff,)	
)	
v.)	No. 4:16CV1770 HEA
)	
JOHN JACKMAN, et al.,)	
)	
Defendants,)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for reconsideration under Rule 59(e) of the Federal Rules of Civil Procedure. The motion is granted.

On December 8, 2016, the Court ordered plaintiff to pay an initial partial filing fee of \$12. Plaintiff did not pay the fee, and the Court dismissed this action without prejudice on February 1, 2016.

Plaintiff says the non-payment is not his fault. He claims he asked his caseworker to authorize the payment but for various reasons it was not made. He says he was surprised by the dismissal of this action. Plaintiff should have the opportunity to bring this action. As a result, the Court will reopen this action and allow plaintiff to pay the fee.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration [ECF No. 8] is **GRANTED**, and the Court's Order of Dismissal dated February 1, 2017, [ECF No. 7] is **VACATED**.

IT IS HEREBY ORDERED that plaintiff must pay the initial fee of \$12 no later than **March 14, 2017**.

IT IS FURTHER ORDERED that if plaintiff does not pay the fee as ordered, the Court will dismiss this case. No further extensions will be granted.

Dated this 28th day of February, 2017

A handwritten signature in black ink, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE