

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

MICHAEL B. MOSLEY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:17-CV-17 ERW
)	
DR. UNKNOWN FATOKI, 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 calculation and collection of the appellate filing fees pursuant to Henderson v. Norris, 129 F.3d 481 (8th Cir. 1997).

On June 26, 2018, the Court granted plaintiff in forma pauperis status on appeal, but has not yet calculated and collected the appellate filing fees. Plaintiff filed an affidavit in support of his motion to proceed in forma pauperis on appeal. Based on the information provided in plaintiff’s affidavit, plaintiff must pay an initial partial filing fee of \$10.00, which is reasonable based on the information the Court has about plaintiff’s finances. See Henderson, 129 F.3d at 484.

Under 28 U.S.C. § 1915(b)(2), after payment of the initial partial filing fee, the agency having custody of plaintiff shall forward payments from the plaintiff’s account to the Clerk of the Court each time the amount in his account exceeds \$10.00 until the filing fees are paid in full. The Court will request that the agency having custody of plaintiff begin making payments in accordance with 28 U.S.C. § 1915(b)(2) until the \$505 appellate fee is paid in full.

Accordingly,

IT IS HEREBY ORDERED that plaintiff must pay an initial filing fee of \$10.00 within

thirty (30) days of the date of this Order. 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 an original proceeding.

IT IS FURTHER ORDERED that the Clerk shall request that the agency having custody of plaintiff begin making payments in accordance with 28 U.S.C. § 1915(b)(2) until the \$505 appellate fee is paid in full.

Dated this 2nd day of July, 2018.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE