Jones v. State of Missouri Doc. 14

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

KEITH C. JONES, Register No. 151549,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09-4031-CV-C-SOW
	)	
STEVE LONG, et al.,	)	
	)	
Defendants.	)	

ORDER

On July 9, 2009, United States Magistrate Judge William A. Knox recommended that plaintiff's claims be dismissed, without prejudice. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

Inmates who file an appeal with the United States Court of Appeals for the Eighth Circuit are required to pay the full $455.00 appellate filing fee, regardless of the outcome of the appeal. Henderson v. Norris, 129 F.3d 481, 484 (8th Cir. 1997). The filing of a notice of appeal is considered a consent by the inmate to allow prison officials to deduct an initial partial appellate filing fee and later installments from the prisoner's account.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of July 9, 2009, is adopted. [13] It is further

ORDERED that plaintiff's claims are dismissed, without prejudice, pursuant to 28 U.S.C. § 1915A, for failure to state a claim for which relief can be granted.

/s/
SCOTT O. WRIGHT
Senior United States District Judge

Dated: September 23, 2009
Kansas City, Missouri

Dockets.Justia.com