

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

ABDUL AL-HAKEEM AFIZ, a/k/a	)	
MIRON TAYLOR, Register No. 350138,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 09-4038-CV-C-NKL
	)	
MORRIS D. LOGAN, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On April 10, 2009, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's claims. Judge Knox further recommended that plaintiff's motions for injunctive relief and summary judgment be denied. 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.

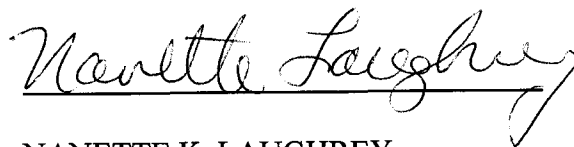
A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

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 April 10, 2009, is adopted. [8] It is further

ORDERED that plaintiff is denied leave to proceed in forma pauperis and his claims are dismissed, without prejudice, pursuant to 28 U.S.C. § 1915(g). It is further

ORDERED that plaintiff's motions for injunctive relief and summary judgment are denied as moot. [2]

A handwritten signature in cursive script that reads "Nanette Laughrey". The signature is written in black ink and is positioned above a horizontal line.

NANETTE K. LAUGHREY  
United States District Judge

Dated: 5-15-09  
Jefferson City, Missouri