

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REGINALD G. BAKER,

Plaintiff,

vs.

LEIGH ANN RETELSDORF, TOM
RILEY, BRENDA LEUCK, and RYAN
LINDBERG,

Defendants.

4:14CV3103

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's "Petition to Offset Payments." ([Filing No. 47](#).) Plaintiff requests that the court delay collecting the remaining amount of the filing fee in this case until after his release from prison. He states that collection of the filing fee, along with the filing fee in his other case (*Baker v. Kozeny, et al.*, Case No. 4:14CV3102), causes him severe financial burden.

As the court previously explained to Plaintiff, *see* [Filing No. 45](#), 28 U.S.C. § 1915(b)(2) requires that, "the prisoner shall be required to make monthly payments of 20 percent of the proceeding month's income credited to the prisoner's account." Section 1915(b) is written in mandatory terms ("shall"), leaving no discretion to the court to delay collecting an in forma pauperis prisoner's filing fee.

IT IS ORDERED that: Plaintiff's "Petition to Offset Payments" is denied.

Dated this 28th day of July, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge