



IT IS ORDERED:

1. The court's memorandum and order entered on December 6, 2016 (Filing No. [11](#)), is set aside and vacated. The clerk of the court shall notify Plaintiff's institution to stop collecting partial filing fee payments and shall remit any funds already collected pursuant to the vacated order.
2. Plaintiff's motion for leave to proceed in forma pauperis (Filing No. [3](#)) is denied.
3. Plaintiff has until May 27, 2017, to either show cause why this case should not be dismissed pursuant to 28 U.S.C. §1915(g) or pay the full \$400.00 filing and administrative fees. In the absence of either action by Plaintiff, this matter will be dismissed without further notice.
4. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: April 27, 2017: Deadline for Plaintiff to show cause or pay fees.

DATED this 28<sup>th</sup> day of March, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge