



Here, the court finds that plaintiff Laci Sweetser's initial partial filing fee is \$20.73, based on average monthly deposits in the amount of \$103.63. The court finds that plaintiff DaVida Twobulls' initial partial filing fee is \$15.11, based on average monthly deposits in the amount of \$75.56. Both plaintiffs must pay this initial partial filing fee within 30 days or their case will be subject to dismissal. The Plaintiffs may request an extension of time if one is needed.

In addition to the initial partial filing fee, Plaintiffs must "make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account." 28 U.S.C. § 1915(b)(2). The statute places the burden on the prisoner's institution to collect the additional monthly payments and forward them to the court as follows:

After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid.

28 U.S.C. § 1915(b)(2). See also, NECivR. 3.3(b)(2). Therefore, after payment in full of the initial partial filing fee, the remaining installments shall be collected pursuant to this procedure.

Plaintiffs are advised that they will remain responsible for the entire filing fee, as long as they are prisoners, even if the case is dismissed at some later time. See *In re Tyler*, 110 F.3d at 529-30; *Jackson*, 173 F. Supp. 2d at 951.

**IT IS THEREFORE ORDERED that:**

1. Plaintiffs' Motions for Leave to Proceed in Forma Pauperis ([Filing No. 2](#); [Filing No. 3](#)) are granted.
2. Plaintiff Laci Sweetser must pay an initial partial filing fee of \$20.73 within 30 days, unless the court extends the time in which she has to pay in response to a written motion.

3. Plaintiff DaVida Twobulls' must pay an initial partial filing fee of \$15.11 within 30 days, unless the court extends the time in which she has to pay in response to a written motion.

4. After payment of the initial partial filing fee, Plaintiffs' institution must collect the additional monthly payments in the manner set forth in 28 U.S.C. § 1915(b)(2), quoted above, and forward those payments to the court.

5. The clerk's office is directed to send a copy of this order to the appropriate official at Plaintiffs' institutions.

6. The clerk's office is directed to set a pro se case management deadline in this case using the following text: June 12, 2017: initial partial filing fee payment due.

**DATED: May 10, 2017.**

**BY THE COURT:**

**s/ F.A. Gossett, III  
United States Magistrate Judge**