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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN G. WALKER,
Plaintiff,
vs.
MICHAEL HALEY, et al.,
Defendants.

Case No. 3:13-cv-00485-RCJ-WGC

ORDER

The court ordered (#3) plaintiff to pay an initial partial filing fee. Plaintiff has filed a motion to adjust order (#4). He argues that he has \$126.00 in a mandatory savings account that is given to him upon his release from prison and that cannot be used to pay the initial partial filing fee. However, the statement that petitioner provided with his application to proceed in forma pauperis (#1) shows a balance of \$209.25 in his inmate trust account, which he can use to pay the filing fee. Indeed, that is the balance after other transactions, including \$126.80 being withdrawn on May 24, 2013, presumably for the mandatory savings account. Nothing in plaintiff’s motion (#4) indicates that the \$209.25 is unavailable for him to pay the initial partial filing fee.

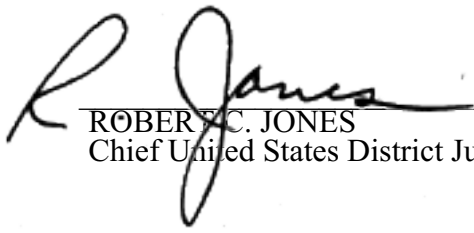
IT IS THEREFORE ORDERED that plaintiff’s motion to adjust order (#4) is **DENIED**.

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IT IS FURTHER ORDERED that plaintiff shall have through December 16, 2013, to pay the initial partial filing fee as directed in the court's earlier order (#3).

Dated: October 30, 2013.


ROBERT C. JONES
Chief United States District Judge