

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Richard L. Duncan

v.

Civil No. 08-cv-477-SM

Andrew Newcome, et al

**O R D E R**

Plaintiff's request to proceed in forma pauperis is granted, but pursuant to 28 U.S.C. § 1915, as amended, the filing fee must be paid as follows: the sum of \$2.40 is due no later than January 9, 2009. In addition, 20% of each preceding month's income credited to plaintiff's account to be remitted by the NH State Prison for Men when the amount in the account exceeds \$10.00 until the sum of \$350.00 has been paid. Failure to pay the fee as ordered will result in dismissal of the action without prejudice. In all other respects plaintiff's request for in forma pauperis has been granted.

**SO ORDERED.**

  
\_\_\_\_\_  
James R. Muirhead  
United States Magistrate Judge

Date: December 9, 2008

cc: Richard L. Duncan, pro se  
Bonnie S. Reed, Financial Administrator  
NH State Prison for Men, Inmate Accounts