UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE

Mohamed Daoud

v. Civil No. 11-cv-099-JL

Manchester Police Department, et al.

ORDER GRANTING MOTION TO PROCEED IN FORMA PAUPERIS

The plaintiff, an inmate at Hillsborough County Department of Corrections ("Institution"), has filed a motion to proceed *in forma pauperis* in the above-captioned case, which is accompanied by an Inmate Account Statement signed by an authorized individual from the Institution.

The motion to proceed *in forma pauperis* is GRANTED; however, since there are insufficient funds to assess an initial filing fee of 20% of the average monthly balance, the Court has assessed 20% of the average monthly deposits to the plaintiff's account. Therefore, pursuant to 28 U.S.C. § 1915(b)(1), an initial filing fee is assessed in the amount of \$4.29. In addition, 20% of each preceding month's income credited to the plaintiff's account shall be remitted by the Institution when the amount in the account exceeds \$10.00 until the sum of \$350.00 has been paid. 28 U.S.C. § 1915(b)(2). Before indicating whether he agrees to pay the filing fee and proceed with this civil action, the plaintiff should be informed of the following.

First, the plaintiff is hereby on notice that the court may dismiss this action if it:

- (1) Is frivolous, malicious, or fails to state a claim upon which relief may be granted; or
- (2) Seeks monetary relief from a defendant who is immune from such relief.

28 U.S.C. § 1915A(b); LR 4.3(d)(2). If the court does dismiss the action, the plaintiff

will still be required to pay the filing fee in full.

Second, the plaintiff is advised that, in the event he is released from incarceration prior to the

filing fee of \$350.00 being paid in full, he is still required to pay the entire filing fee.

Third, the plaintiff should note that a prisoner who has had three civil actions dismissed under

28 U.S.C. § 1915(e) may not thereafter, absent "imminent danger of serious physical injury," file a new

civil action without prepayment of the entire filing fee. 28 U.S.C. § 1915(g).

Therefore, on or before May 6, 2011, the plaintiff shall return the attached Prisoner Consent

Form and indicate whether he intends to incur the cost of the filing fee and proceed with this action, or

whether he intends not to proceed with this litigation at this time. The failure to return the attached

Prisoner Consent Form by the above deadline will be interpreted as indicating the plaintiff's

desire not to proceed with this litigation and will result in the issuance of a recommendation to

dismiss the complaint. In the event the plaintiff elects to proceed with this matter and so

indicates on a signed Prisoner Consent Form, the initial partial filing fee shall be forwarded to the

Clerk of Court by the Institution in accordance with this Order. A copy of this Order, along with

a copy of the signed Prisoner Consent Form, shall be forwarded by the Court to the Institutions

inmate account department following the plaintiff's indication to the Court that he intends to go

forward with this matter and incur the \$350.00 cost of suit.

SO ORDERED.

Dated: March 15, 2011

U.S. Magistræe Judge

Mohamed Daoud, pro se

~PLEASE DELIVER THIS FORM TO INTAKE~

UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE

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v.	Civil No.11-cv-099-JL
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Date Prisoner Must File Consent Form With Court: Frid : Mail Consent Form To: U.S. Courthouse, 55 Pleasant St.	
PRISONER CONSENT FORM	
I have been informed by the court that in order to captioned case, I must agree to pay an initial filing fee in agree that 20% of each preceding month's income credite my account to the Clerk of Court when the amount in the \$350.00 has been paid.	the amount of \$4.29. In addition, I must ed to my inmate account shall be paid from
☐ I DO NOT AGREE to have the initial filing fee remitt understand that, as a result of my decision, the case will be	•
I DO AGREE to have the initial filing fee, and 20% of to my inmate account (when the account balance exceeds Clerk of Court until the sum of \$350.00 has been paid in accounts to retain 20% of all income deposited into my in the United States District Court for the District of New H I authorize the clerk's office to forward a copy of the court pauperis request, as well as this Prisoner Consent Form, to Corrections inmate accounts. I also authorize inmate according whose custody I may be transferred. I understand that in to making full payment of the filing fee, I am still require By checking this box, I understand that it is not necessary payment and that the Court will contact inmate accounts of the filing fee of the court of the court inmate accounts of the court will contact inmate accounts of the filing fee.	\$10), paid from my inmate account to the full. Specifically, I authorize inmate amate account and to submit that amount to ampshire until the filing fee is paid in full. rt's prior order granting my in forma o Hillsborough County Department of unts to deduct payments from my account a shall apply to any other agency into the event I am released from custody prior of to pay the remainder of the unpaid fee. To submit an inmate slip to authorize directly to request payment on my behalf.
Print Full Name and Inmate Number:	
Dota	
Date:	Plaintiff/Inmate Signature