

CLOSED

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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RANDOLPH ARTIS,	:	Civil No. 09-0986 (RMB)
	:	
Plaintiff,	:	
	:	<b><u>ORDER</u></b>
v.	:	
	:	
PAUL SCHULTZ, et al.,	:	
	:	
Defendants.	:	

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For the reasons expressed in the Opinion filed herewith,  
IT IS on this 7th day of October 2009,

**ORDERED** that Plaintiff's application to proceed in forma pauperis is hereby granted and the Clerk shall file the Complaint without prepayment of the filing fee; and it is further

**ORDERED** that the Complaint is dismissed for failure to state a claim upon which relief may be granted; and it is further

**ORDERED** that, pursuant to 28 U.S.C. § 1915(b), the Clerk shall forward a copy of this Order by regular mail to the United States Attorney for the District of New Jersey and the warden of FCI Fairton; and it is further

**ORDERED** that Plaintiff is assessed a filing fee of \$350.00 which shall be deducted from his prison account pursuant to 28 U.S.C. § 1915(b)(2) in the manner set forth below, regardless of the outcome of the litigation; and it is further

**ORDERED** that, pursuant to 28 U.S.C. § 1915(b)(1)(A), Plaintiff is assessed an initial partial filing fee equal to 20%

of the average monthly deposits to the Plaintiff's prison account for the six month period immediately preceding the filing of the Complaint; when funds exist, the Bureau of Prisons shall deduct said initial fee from Plaintiff's prison account and forward it to the Clerk; and it is further

**ORDERED** that, pursuant to 28 U.S.C. § 1915(b)(2), until the \$350.00 filing fee is paid, each subsequent month that the amount in Plaintiff's prison account exceeds \$10.00, the Bureau of Prisons shall assess, deduct from the Plaintiff's account, and forward to the Clerk payments equal to 20% of the preceding month's income credited to Plaintiff's prison account, with each payment referencing the docket number of this action; and it is finally

**ORDERED** that the Clerk shall serve this Order and the accompanying Opinion upon Plaintiff by regular mail, and shall close the file.

s/Renée Marie Bumb  
**RENÉE MARIE BUMB**  
United States District Judge