

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DANNY MURRAY,

Plaintiff,

v.

No. 16-cv-0447 JCH/SMV

**STAFF AT SOUTHWESTERN NEW MEXICO
CORRECTIONAL FACILITY,
BOB MIYAGASHEIMA,
LOUIS HERNANDEZ, K. HODGES,
FNU VIAZ, FNU SANCHEZ,
JAMES MULHERON,
SUSANA MARTINEZ, and GREG MARCANTEL,**

Defendants.

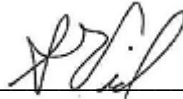
**ORDER GRANTING LEAVE TO PROCEED WITHOUT
PREPAYMENT OF FEES OR COSTS**

THIS MATTER is before the Court on the Application to Proceed in District Court Without Prepayment of Fees and Costs, [Doc. 6], filed by Plaintiff Danny Murray on May 16, 2016, supplemented with the required six-month inmate account statements, [Doc. 15-1] at 16, 34, on August 5, 2016. Because the Court grants the Application, the filing fee for this civil rights complaint is \$350. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to 28 U.S.C. § 1915(b)(1). Plaintiff is still required to pay the full amount of the filing fee in monthly payments as set out, below, under § 1915(b)(1). Failure to comply with this order may result in dismissal without further notice.

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff's Application to Proceed in District Court Without Prepayment of Fees and Costs [Doc. 6] is **GRANTED**, and the initial payment is **WAIVED**; and

IT IS FURTHER ORDERED that Plaintiff file monthly financial certificates and make monthly payments of 20% of the preceding month's income credited to his account or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE