

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:13-cv-274-FDW

CLIFFORD NATHANIEL WARREN,)
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Plaintiff,)
)
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vs.)
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JIM SCHICK, Superintendent,)
Haywood Detention Center,)
)
)
Defendant.)
)

ORDER

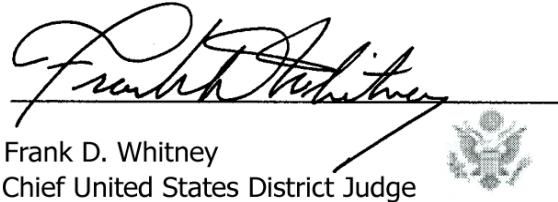
THIS MATTER is before the Court on the pro se Plaintiff's two Motions to Refund Filing Fee. (Doc. No. 10; 11).

The Court dismissed without prejudice Plaintiff's underlying action on April 11, 2014. Plaintiff now seeks a refund of the amount of money deducted from his prison trust account statement to pay his filing fee. The Court notes that Plaintiff was incarcerated at Mountain View Correctional Institution when he filed this 42 U.S.C. § 1983 action, but he has since been released from custody. See (Doc. No 13). Plaintiff's motions are denied because, during the period of his incarceration, Plaintiff was still required to pay the full filing fee even though this action has been dismissed. See 28 U.S.C. § 1915(b)(1) (stating that "if a prisoner brings a civil action or files an appeal in forma pauperis, the prisoner shall be required to pay the full amount of a filing fee").

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motions to Refund Filing Fee, (Doc. Nos. 10; 12), are **DENIED**.

Signed: July 21, 2014



Frank D. Whitney
Chief United States District Judge

