

suggests "that a prisoner may deviate from the payment schedule provided, or that a court may ... defer a prisoner's payment until he is released from custody." See 28 U.S.C. §1915(b)(2); Ippolito v. Buss, 293 F. Supp.2d 881, 883 (N.D. Ind. 2003). Indeed, at least one court has held that "deferring the required payments would destroy the purpose of the statute," which is to prevent the filing of frivolous lawsuits, because "the potentially constraining force of immediate liability would be lost." Id. Moreover, "ensuring payment of the full amount of filing fees is much easier while a prisoner is in custody and has a prisoner's trust account, it is not so simple once a prisoner has been released." Id.

Simply put, there is no legal basis for granting Plaintiffs' request, and the Court would violate the law, as enacted by Congress, were it to do so. For that reason, Plaintiffs' Motion to Suspend Court Fines and Costs (Doc. 13) is denied.

Any party may, within fourteen days after this Order is filed, file and serve on the opposing party a motion for reconsideration by a District Judge. 28 U.S.C. §636(b)(1)(A), Rule 72(a), Fed. R. Civ. P.; Eastern Division Order No. 14-01, pt. IV(C)(3)(a). The motion must specifically designate the order or part in question and the basis for any objection. Responses to objections are due fourteen days after objections are filed and replies by the objecting party are due seven days thereafter. The District Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

This order is in full force and effect even if a motion for reconsideration has been filed unless it is stayed by either the Magistrate Judge or District Judge. S.D. Ohio L.R. 72.4.

/s/Terence P. Kemp
United States Magistrate Judge