

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KERMIT GABEL,**

**Plaintiff,**

**vs.**

**STUART HUDSON, et al.,**

**Defendants.**

**Civil Action 2:14-cv-1057  
Judge Watson  
Magistrate Judge King**

**ORDER**

On December 16, 2014, the United States Magistrate Judge recommended that defendants' motion to vacate the order granting plaintiff's motion for leave to proceed *in forma pauperis*, *Motion to Vacate*, ECF 10, be granted and that plaintiff be ordered to pay, within fourteen (14) days, the full \$400.00 filing fee. *Report and Recommendation*, ECF 16. Because \$350.00 had already been paid on plaintiff's behalf, plaintiff was directed to pay an additional \$50.00. *Id.* This matter is now before the Court on plaintiff's objection to that recommendation. *Objection*, ECF 22. The Court will consider the matter *de novo*. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b).

Plaintiff does not object to any portion of the *Report and Recommendation* except that portion that requires the payment of an additional \$50.00. As to that

portion, plaintiff bases his objection:

on fact that all the printed paperwork he has ever recieved [sic] from this Court has cleary [sic] printed the filing fee is \$350.00. When did filing fee increase to \$400.00? If it was raised after filing date in instant case, how can the increase be applied?

*Objection.*

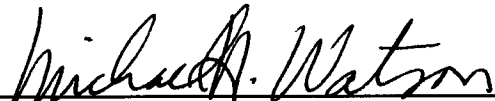
The current filing fee for a civil case is \$350.00. 28 U.S.C. § 1914(a). However, the Judicial Conference of the United States is authorized to require payment of an additional fee, 28 U.S.C. § 1914(b), and a \$50.00 administrative fee was added to the filing fee at the direction of the Judicial Conference of the United States, effective December 10, 2013. Plaintiff filed this action on July 31, 2014, at a time when the \$50.00 administrative fee was charged to all civil plaintiffs except those proceeding *in forma pauperis*. Thus, the *Report and Recommendation* was correct in assessing the additional \$50.00 fee.

Accordingly, the *Report and Recommendation*, ECF 16, is **ADOPTED AND AFFIRMED**. Defendants' *Motion to Vacate the Order Granting Leave to Proceed in Forma Pauperis*, ECF 10, is **GRANTED**. Plaintiff is assessed the full filing fee and must pay the remaining \$50.00 due and owing.

Plaintiff has also asked for an extension of time in which to pay the remaining \$50.00. *Motion for Extension of Time*, ECF 23. However, plaintiff does not specify the extension sought. Plaintiff's motion, ECF 23, is **GRANTED**. Plaintiff must pay the remaining \$50.00 no later than **March 2, 2015**. His failure

to do so may result in the dismissal of the action for want of prosecution.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**