

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARICE WHITMORE

FILED

CIVIL ACTION

v.

DEC 10 2014

**COMMONWEALTH OF PENNSYLVANIA
PHILADELPHIA PRISON SYSTEM**

MICHAEL E. KUNZ, Clerk
By: _____ Dep. Clerk

NO. 14-6911

ORDER

AND NOW, this 10th day of December, 2014, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff Maurice Whitmore, #949902, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$22.92 is assessed. The Warden or other appropriate official at the Philadelphia Industrial Correctional Center or at any other prison at which plaintiff may be incarcerated is directed to deduct \$22.92 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 14-6911. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Philadelphia Industrial Correctional Center or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 14-6911.

3. The Clerk of Court is directed to send a copy of this order to the Warden of the Philadelphia Industrial Correctional Center.

4. The complaint is DISMISSED with prejudice as legally frivolous and for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) & (ii), for the reasons stated in the Court's Memorandum.

5. The Clerk of Court shall CLOSE this case.

BY THE COURT:



L. FELIPE RESTREPO, J.