

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

|                          |   |                     |
|--------------------------|---|---------------------|
| <b>TYRONE LEWIS-BEY</b>  | : | <b>CIVIL ACTION</b> |
|                          | : |                     |
| v.                       | : |                     |
|                          | : |                     |
| <b>TOM WOLFF, et al.</b> | : | <b>NO. 16-3685</b>  |

**ORDER**

AND NOW, this 25<sup>th</sup> day of July, 2016, 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 Tyrone Lewis, #733-166, 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 \$17.95 is assessed. The Warden or other appropriate official at the Philadelphia Detention Center or at any other prison at which plaintiff may be incarcerated is directed to deduct \$17.95 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. 16-3685. 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 Detention 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. 16-3685.

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

4. The complaint is DISMISSED, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii), for the reasons stated in the Court's Memorandum, with the exception of plaintiff's claims against Officer Jones, Officer Sam, and Officer Wingfield.

5. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this order. Any amended complaint shall name all of the defendants in the caption of the amended complaint, shall raise all claims plaintiff seeks to pursue in this civil action, and shall be a complete document that does not refer to or rely on other pleadings filed in this matter. However, plaintiff shall not raise any claims challenging the constitutionality of his conviction or imprisonment, because the Court has dismissed those claims with prejudice. If plaintiff does not file an amended complaint, the Court will direct service of the initial complaint on Officer Jones, Officer Sam, and Officer Wingfield. Upon the filing of an amendment, the Clerk shall not issue summonses until so ORDERED.

**BY THE COURT:**

  
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JOEL H. SLOMSKY, J.