

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

DEMETRIUS BAILEY,)	
)	Civil Action No. 09 – 900
Plaintiff,)	
)	District Judge Donetta W. Ambrose
v.)	Chief Magistrate Judge Lisa Pupo Lenihan
)	
PA CHRIS MEYERS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

AND NOW, this 17th day of April, 2014, after Plaintiff, Demetrius Bailey, filed a “Motion to Return Initial Partial Filing Fee of \$23.67 or Transfer Initial Filing Fee to 2:13-cv-78 and Dismiss or Close Civil Action No. 09-900” (ECF No. 14),

IT IS HEREBY ORDERED that the Motion is **GRANTED in part, DENIED in part and DEFERRED in part**. The Motion is granted to the extent that Plaintiff’s partial payment of filing fee of \$23.67 in the above-captioned matter will be transferred to C.A. No. 2:13-cv-78 to satisfy the initial partial filing fee due in that case. The Motion is denied to the extent that it seeks return of \$23.67 received as partial payment of the filing fee for the above-captioned matter. The ruling on Plaintiff’s request for voluntary dismissal will be deferred to the District Judge.

IT IS FURTHER ORDERED that the Clerk of Court transfer the fee of \$23.67 received as partial payment of the filing fee for the above-captioned matter to C.A. No. 2:13-cv-78 as partial payment of the filing fee in that case.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan

Chief United States Magistrate Judge

cc: Demetrius Bailey
CP-7819
SCI Coal Township
1 Kelley Drive
Coal Township, PA 17866
Via First Class Mail

Finance Department
U.S. District Court
Western District of PA

Inmate Account Officer
S.C.I. Coal Township
1 Kelley Drive
Coal Township, PA 17866