

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dmitry Pronin,

Plaintiff,

vs.

Charles Wright; Neal Urch; and L.
Blackwell,

Defendants:

) C/A No. 5:16-cv-03635-HMH-KDW
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ORDER FOR DISBURSEMENT

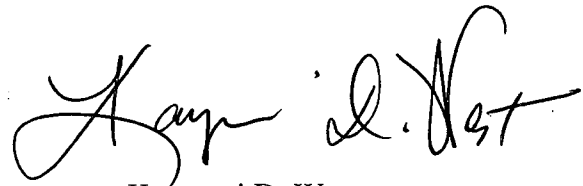
Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. After initial review of the matter, the undersigned issued a Report and Recommendation (“R&R”), recommending the district court partially dismiss the Complaint without prejudice against certain defendants and deny Plaintiff’s request for certification of a class action. ECF No. 27. The district court adopted the undersigned’s R&R in an Order that dismissed Plaintiff’s Complaint against a certain defendant, instructed Plaintiff file an Amended Complaint, denied Plaintiff’s request/motion for certification of a class action, and remanded the case to the undersigned. ECF No. 39. On May 1, 2017, Plaintiff filed a Notice of Appeal with the Fourth Circuit Court of Appeals (“Fourth Circuit”), appealing the denial of class certification. ECF No. 53.

On June 9, 2017, the Fourth Circuit granted Plaintiff leave to proceed on appeal without the full prepayment of fees pursuant to the terms of the Prison Litigation Reform Act. *See* ECF No. 66. The Fourth Circuit’s order required periodic withdrawal of payments by appellant’s custodian from appellant’s inmate trust account. *See id.* However, after learning Plaintiff paid \$505 to this court, *see* ECF No. 70, on June 28, 2017, the Fourth Circuit rescinded its June 9, 2017 order allowing Plaintiff proceed without prepayment. ECF No. 71. It appears to the court

that Plaintiff's \$505 payment to the district court on June 27, 2017, was intended to pay his appellate fees. Therefore, the clerk of court is directed to refund Plaintiff's filing and docketing fees already withdrawn in connection with Plaintiff's appeal.

IT IS SO ORDERED.

July 12, 2017
Florence, South Carolina



Kaymani D. West
United States Magistrate Judge