

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ROBERT RAY TALTON  
(TDCJ No. 1891182),

Plaintiff,

V.

ELLIS COUNTY SHERIFF'S OFFICE,  
ET AL.,

Defendants.

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No. 3:13-cv-4571-N

**ORDER**

After conducting a review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge regarding *in forma pauperis* status on appeal are correct, and they are hereby ACCEPTED as the Findings of the Court. Accordingly, Petitioner's application to proceed *in forma pauperis* on appeal [Dkt. No. 23] is DENIED.

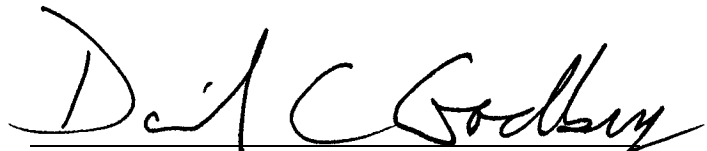
The filing fee for an appeal is \$505.00. Pursuant to *Baugh v. Taylor*, 117 F. 3d 197, 202 n.22 (5th Cir. 1997), the Court orders as follows:

1. The agency having custody of Plaintiff shall, when funds exist, in Plaintiff's inmate trust account or institutional equivalent, forward to the Court an initial partial filing fee of **\$0.00**.
2. Plaintiff shall pay **\$505.00**, the balance of the filing fee, in monthly installments

as provided in 28 U.S.C. § 1915(b)(1). After payment of the initial partial filing fee, if any, the agency having custody of Plaintiff shall deduct 20% of each deposit made to Plaintiff's inmate trust account and forward payments to the Court on a regular basis provided the account exceeds \$10.00.

3. If Plaintiff moves the United States Court of Appeals for the Fifth Circuit to proceed *in forma pauperis* on appeal, the Clerk of Court shall mail a copy of this order to the inmate accounting office or other person(s) or entity with responsibility for collecting and remitting to this Court interim filing payments on behalf of prisoners, as designated by the facility in which the prisoner is currently or subsequently confined.

SO ORDERED this 25<sup>th</sup> day of August, 2014.

  
DAVID C. GODBEY  
UNITED STATES DISTRICT JUDGE