

United States District Court
Southern District of Texas

ENTERED

October 29, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

FERNANDO S. NARRO,
TDCJ # 02101682,

Plaintiff,

VS.

E EDWARDS, *et al*,

Defendants.

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CIVIL ACTION NO. 3:16-CV-0310
APPEAL NO. 18-40912

ORDER

On August 28, 2018, this Court granted summary judgment for Defendants and dismissed the civil rights suit brought by state inmate Fernando S. Narro (Dkt. 32, Dkt. 33). Narro has filed a motion for leave to proceed *in forma pauperis* on appeal (Dkt. 37). Because the plaintiff is incarcerated, this case is governed by the Prison Litigation Reform Act (the “PLRA”). The PLRA requires prisoners to pay an initial partial filing fee for all civil actions and appeals. 28 U.S.C. § 1915(b)(1). The PLRA also requires prisoners to pay the balance of the full appellate filing fee (\$505.00). Because the appeal does not appear to have been taken in bad faith, *see* FED. R. APP. P. 24(a)(3)(A), and based on the certified inmate trust fund account statement (Dkt. 40) submitted by Narro, the Court **ORDERS** that:

1. The application for leave to proceed *in forma pauperis* (Dkt. 37) is **GRANTED**.

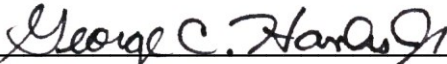
2. The plaintiff is not assessed an initial partial filing fee because the documentation provided in support of his motion shows that he lacks the requisite funds.

3. The plaintiff shall pay \$505.00, the balance of the full filing fee, in periodic installments as required by 28 U.S.C. § 1915(b). The agency shall collect this amount from the plaintiff's trust account, when available, and forward it to the Court.

4. The plaintiff is responsible for signing all consents and other documents required by the agency having custody of plaintiff to authorize the necessary withdrawal from the plaintiff's inmate trust account.

The Clerk will send copies of this order to the parties, and will provide a copy by regular mail, facsimile transmission, or e-mail to (1) the TDCJ - Office of the General Counsel, Capitol Station, P.O. Box 13084, Austin, Texas 78711, fax 512-936-2159, and (2) the Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, fax 936-437-4793.

SIGNED at Galveston, Texas, this 29th day of October, 2018.



George C. Hanks Jr.
United States District Judge