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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PHILLIP BURTON HAUSKEN,

11 Plaintiff,

12 v.

13 D LEWIS et al.,

14 Defendants.

CASE NO. 3:13-CV-05346-RBL

ORDER TO SHOW CAUSE

15
16 The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States
17 Magistrate Judge, J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. §
18 636(b)(1)(A) and (B), and Magistrate Judge Rules MJR3 and MJR4.

19 On June 14, 2013, the Court denied plaintiff's motion to proceed *in forma pauperis* because
20 this action was duplicative of another case where plaintiff was pursuing injunctive relief on the same
21 issue. Dkt. 7; *see Hausken v. Lewis*, 12-5882BHS/JRC. The case was closed on June 17, 2013. *See*
22 *generally* Dkt. 8. Now before the Court is plaintiff's motion to modify, terminate, or reduce legal
23 financial obligations. Dkt. 10.
24

1 The handwriting in plaintiff's motion is very hard to read but the Court understands plaintiff
2 has stated:

3 I should only be charged for one case 05882 Daniel Lewis instead of 3-5346-05514
4 both with D Lewis[.] I should only be [charged] for one case 05344 05514 both with
5 [Daniel] Lewis as correspondents for both cases he state [word is unclear] 350.00 ... I
6 have no money and no job...I can't pay the debt ... If you can be charged for the
7 cases when you did not deny [in forma pauperis] status, The state can deny back
8 cases where you did not [unclear] [in forma pauperis status] and charged your
9 [unclear] from to give ... 4 5 or 6 strikes instead of 3, the states should have a
10 [unclear] they have charge[d] you. If you didn't have [in forma pauperis status] you
11 could not be charged.

12 *Id.* at 1-2.

13 While plaintiff's motion is unclear, it seems to indicate that plaintiff seeks an order waiving
14 the collection of the filing fee in this action. However, no filing fee was collected because plaintiff's
15 application to proceed *in forma pauperis* was denied. *See* Dkt. 7. If plaintiff claims the filing fee has
16 been collected in this case, he should clearly explain when the filing fee was collected and how much
17 was collected.

18 If plaintiff is seeking a waiver of the collection of the filing fee in another case in which
19 plaintiff was granted *in forma pauperis* status, the Court notes that 28 U.S.C. § 1915 does not
20 provide any authority or mechanism for the Court to waive the payment of a plaintiff's filing fee
21 or to return the filing fee after dismissal of an action. In amending 28 U.S.C. § 1915 with the
22 enactment of the Prison Litigation Reform Act of 1995, Pub.L. No. 104-134, 110 Stat. 1321
23 (Apr. 26, 1996) (PLRA), Congress intended to provide financial disincentives for prisoners filing
24 lawsuits *in forma pauperis*. *See Lyon v. Krol*, 127 F.3d 763, 764 (8th Cir.1997) ("Congress
enacted PLRA with the principal purpose of deterring frivolous prisoner litigation by instituting
economic costs for prisoners wishing to file civil claims. *See, e.g.,* H.R. Conf. Rep. No. 104-
378, at 166-67 (1995); 141 Cong. Rec. S14626 (daily ed.) (Sept. 29, 1995) (statement of Sen.
Dole)).

