

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LAMONDRE MOORE,

Plaintiff,

v.

Case No. 14-cv-1446-pp
Appeal No. 16-3097

MICHAEL VAGNINI,

Defendant.

****AMENDED** ORDER VACATING COURT'S AUGUST 9, 2016, ORDER TO THE EXTENT THAT IT DIRECTED THE COLLECTION OF \$449.09 FROM THE PLAINTIFF'S PRISON TRUST ACCOUNT AFTER PAYMENT OF \$5.91 INITIAL PARTIAL FILING FEE (DKT. NO. 51), AND DIRECTING THE SECRETARY OF THE WISCONSIN DEPARTMENT OF CORRECTIONS TO COLLECT THE **\$496.05** BALANCE OF THE APPELLATE FILING FEE FROM THE PLAINTIFF'S PRISON TRUST ACCOUNT**

On August 9, 2016, the court granted the plaintiff's motion for leave to proceed *in forma pauperis* on appeal, and directed him to pay an initial partial filing fee of \$5.91. Dkt. No. 51 at 4. The court also ordered that after the plaintiff paid the initial partial filing fee, the Secretary of the Wisconsin Department of Corrections or his designee should collect \$449.09 from the plaintiff's prison trust account as the balance of the appeal fee. *Id.* The appellate filing fee is ***\$505***; once the plaintiff paid the \$5.91 initial partial filing fee, the remaining balance of the appellate fee would have been ***\$499.09***. ~~***The court received the \$5.91 initial partial filing fee on August 29, 2016. The court has received \$8.95 from the plaintiff.***~~ This

means that the plaintiff owes a remaining balance of *\$496.05*, rather than the \$449.09 amount the court stated in its August 9, 2016 order.

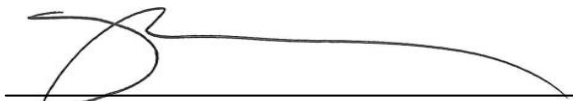
The court **ORDERS** that that portion of the August 9, 2016 order that required the Secretary to collect \$449.09 from the plaintiff's account is **VACATED**.

The court **ORDERS** that the Secretary of the Wisconsin Department of Corrections or his designee shall collect from the plaintiff's prison trust account the balance of the filing fee *(\$496.05)* by collecting monthly payments from the plaintiff's prison trust account in an amount equal to 20% of the preceding month's income credited to the plaintiff's trust account and forwarding payments to the Clerk of Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. §1915(b)(2). The Secretary or his designee shall clearly identify the payments by the case name and number.

The court will send a copy of this order to the Warden of the Redgranite Correctional Institution, 1006 County Rd. EE, P.O. Box 925, Redgranite, WI 54970-0925.

Dated in Milwaukee, Wisconsin this 27th day of June, 2017.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge