

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

WALTER W. WALLACE, JR.,)
)
 Plaintiff,)
)
 v.) No. 4:17cv00490 PLC
)
 GARY STOLZER, et al.,)
)
 Defendants.)

MEMORANDUM AND ORDER

Before the Court is Plaintiff’s motion for extension of time to pay the filing fee [ECF No. 15].

Earlier the Court, in relevant part, granted Plaintiff leave to proceed *in forma pauperis*, requiring Plaintiff to pay “an initial filing fee of \$6.00” within twenty-one days after the date of the Order. See Mem. and Order, filed Apr. 20, 2017 [ECF No. 10]. As noted in the April 20, 2017 Order, *in forma pauperis*:

[p]risoners must pay the full amount of the \$350 filing fee. After payment of the initial partial filing fee, the prisoner is required to make monthly payments of 20 percent of the preceding month’s income credited to the prisoner’s account. The agency having custody of the prisoner will deduct the payments and forward them to the Court each time the amount in the account exceeds \$10. 28 U.S.C. § 1915(b)(2).

Id. at 3 n.1.

The Order was not delivered to Plaintiff because he moved to a different correctional institution. See May 1, 2017 entry on docket sheet [ECF No. 13]. Plaintiff subsequently filed a notice of change of address to a correctional facility in Indiana, and the Clerk re-mailed the Order to Plaintiff at his new address. See May 4, 2017 docket entry [ECF No. 14].

Plaintiff then filed his pending motion, seeking until June 28, 2017, to pay the “initial filing fee of \$6.00.” Plaintiff attached to his motion a document reporting his account at the new institution has a balance of \$2.14. See Attachment to Pl.’s mot. [ECF No. 15-1]. After reviewing the recently submitted account statement, the Court finds Plaintiff lacks sufficient funds to pay \$6.00 at this time. Accordingly,

IT IS HEREBY ORDERED that Plaintiff’s motion for extension of time to pay the initial filing fee of \$6.00 [ECF No. 15] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff shall pay the initial partial filing fee of \$6.00 **no later than June 28, 2017**. Plaintiff is instructed to make his remittance payable to “Clerk, United States District Court,” and to include upon it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an original proceeding.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 25th day of May, 2017.