

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICHARD J. REYNA, SR.,

Plaintiff,

v.

ORDER

09-cv-696-slc

EDITH BIRCH, JAY DRESSLER and
JEFFREY PUGH, ,

Defendants.

This case was dismissed and judgment was entered closing this case on March 4, 2010. Now before the court is plaintiff's letter request to stop the collection of his court filing fees. In his letter, plaintiff asks the court to stop the deductions of his filing fee so that he may buy clothes and a bus ticket upon his release in six months. I will construe plaintiff's letter as a motion to suspend his monthly payments of the unpaid balance of his filing fees and deny it.

Under the Prison Litigation Reform Act, an inmate who files a lawsuit in federal court under the in forma pauperis statute must pay the statutory filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the court in installments of 20% of the preceding month's income in accordance with 28 U.S.C. § 1915(b)(2). If the prisoner then files additional complaints or appeals, the amount owed increases as well. Newlin v. Helman, 123 F.3d 429, 436 (7th Cir. 1997), rev'd on other

grounds by Lee v. Clinton, 209 F.3d 1025 (7th Cir. 2000) and Walker v. O'Brien, 216 F.3d 626 (7th Cir. 2000).

In his motion, plaintiff says prison officials are taking 60% of his income to pay the filing fees he owes for the above case and for two other cases he has filed. Although I empathize with plaintiff's desire to purchase release clothes and to purchase a bus ticket, this court is bound by the provisions of the Prison Litigation Reform Act. I have no discretion to modify the method in which the fees for filing these cases are collected. Therefore, I must deny plaintiff's motion to suspend his monthly payments.

ORDER

IT IS ORDERED that plaintiff Richard Reyna's motion to suspend his monthly payments of the unpaid balance of his filing fees, dkt. #22, is DENIED.

Entered this 10th day of June, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge