

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

BONIFACE W. WABUYABO,

Plaintiff,

v.

CASE NO. 17-3173-SAC

CORRECT CARE SOLUTIONS, et al.,

Defendants.

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion for leave to proceed in forma pauperis (Doc. #2). Because plaintiff is incarcerated, this matter is governed by 28 U.S.C. § 1915(b). Under § 1915(b)(1), the court must assess as an initial partial filing fee twenty percent of the greater of the average monthly deposits or average monthly balance in the prisoner's account for the six months immediately preceding the date of filing of a civil action.

The Court has examined the financial records submitted by the plaintiff and finds the average monthly deposit to his account is \$83.33, and the average monthly balance is \$90.39. The court therefore assesses an initial partial filing fee of \$18.00, twenty percent of the average monthly balance, rounded to the lower half dollar.¹

¹

Plaintiff will be required to pay the balance of the \$350.00 filing fee in installments calculated pursuant to 28 U.S.C. § 1915(b)(2).

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff is granted to and including November 17, 2017, to submit the initial partial filing fee of \$18.00 to the clerk of the court or to make any objection to the fee as assessed. If plaintiff fails to comply, leave to proceed in forma pauperis may be denied.

IT IS SO ORDERED.

DATED: This 17th day of October, 2017, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge