

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

**CHRISTOPHER DAVID BROWN,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **DANIEL L. SCHNURR, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**Case No. 21-3105-JAR-GEB**

**ORDER**

Plaintiff filed this *pro se* civil rights case under 42 U.S.C. § 1983. The Court granted Plaintiff leave to proceed *in forma pauperis* (ECF No. 4.) This matter is before the Court on Plaintiff’s **Motion Requesting the Court Issue Plaintiff’s Remaining Filing Fee Cost in the Form of a Bill (ECF No. 39).**

Plaintiff asks the Court to send him a bill for the balance of the filing fee that remains unpaid in this case, so that he may pay the balance in a lump-sum payment. Plaintiff indicates he has unsuccessfully attempted to obtain information regarding the remaining balance from officials at his facility. Plaintiff asks the Court to bill him to enable him to determine the unpaid balance.

Prisoners are required to pay the entire filing fee despite leave to proceed *in forma pauperis*.<sup>1</sup> “After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month’s income credited to the

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<sup>1</sup> 28 U.S.C. § 1915(b)(1).

prisoner's account."<sup>2</sup> However, the Court does not bill for these filing fee installments. Rather, under 28 U.S.C. § 1915(b)(2), "[t]he agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the fee is paid."<sup>3</sup> If Plaintiff desires to make a payment in addition to the statutorily-required installment, he should contact the finance department at his institution to inquire about authorizing such a payment. Plaintiff's motion is therefore denied.

However, the Court will inform Plaintiff of his remaining balance. The Court's records show that Plaintiff has an unpaid balance of \$49.14 for Case No. 16-3132, and an unpaid balance of \$350.00 for his current Case No. 21-3105. It is the Court's practice to apply monthly payments received from prisoners to their oldest cases first. Therefore, payments received by the Court are applied first to the older case until it is paid in full.

**IT IS THEREFORE ORDERED Plaintiff's Motion Requesting the Court Issue Plaintiff's Remaining Filing Fee Cost in the Form of a Bill (ECF No. 39) is DENIED.**

**IT IS SO ORDERED.**

Dated July 7, 2022, in Wichita, Kansas.

s/ Gwynne E. Birzer  
GWYNNE E. BIRZER  
U. S. Magistrate Judge

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<sup>2</sup> *Id.* at (b)(2).

<sup>3</sup> *Id.*