

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit
2008-5176

REYNAULT CHEVALIER,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims in
08-CV-511, Judge Francis M. Allegra.

ON MOTION

Before MOORE, Circuit Judge.

ORDER

Reynault Chevalier moves to stay the briefing schedule pending his release from prison.

Chevalier contends that continuing the briefing schedule and requiring him to pay the court's docketing fee while he is in prison would constitute an unnecessary hardship. As the court has explained on three recent prior occasions, under 28 U.S.C. § 1915(b), Chevalier is not obligated to pay the entire docketing fee in one payment before continuing his appeal and is only required to pay the fee when funds exist in his prisoner account. Chevalier may withdraw his appeal if he does not wish to continue in compliance with the requirements.

On January 23, 2009, the court gave Chevalier 60 days to file his brief or have his appeal dismissed. The court will not entertain any more motions for extension of time from Chevalier or letters regarding this issue.

Accordingly,

IT IS ORDERED THAT:

The motion is denied. Chevalier's brief is due within 30 days of the date of filing of this order. No further extensions.

FOR THE COURT

MAR 18 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

MAR 18 2009

JAN HORBALY
CLERK

cc: Reynault Chevalier
Elizabeth Speck, Esq.

s19