

NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

2009-5037

REYNAULT CHEVALIER,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims in
08-CV-710, Judge Lawrence M. Baskir.

ON MOTION

Before MOORE, Circuit Judge.

ORDER

Reynault Chevalier moves for leave to proceed in forma pauperis.

Chevalier is incarcerated. Pursuant to the Prisoner Litigation Reform Act of 1995, this court may not authorize the prosecution of an appeal by a prisoner without the prepayment of fees. 28 U.S.C. § 1915. A prisoner is no longer afforded the alternative of proceeding without payment of filing fees, but must, in time, pay the \$455 filing fee in its entirety. When funds exist, an initial partial payment must be made consisting of 20% of the greater of (a) the average monthly deposits to the prisoner's account or (b) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the notice of appeal. 28 U.S.C. § 1915(b)(1). Thereafter, the prisoner is required to make monthly payments of 20% of the preceding month's income credited to the prisoner's account. 28 U.S.C. § 1915(b)(2). The

agency with custody of the prisoner must forward payments from the prisoner's account each time the amount in the account exceeds \$10 until the \$455 filing fee is paid in full.

Id.

By separate letter, the custodian of Chevalier's prison account is being directed to make the necessary arrangements to forward the filing fee to the court.

Accordingly,

IT IS ORDERED THAT:

Chevalier's motion to proceed in forma pauperis is denied.

FOR THE COURT

MAR 19 2009

Date

/s/ Jan Horbaly
Jan Horbaly
Clerk

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

cc: Reynault Chevalier
Roger A. Hipp, Esq.

MAR 19 2009

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**JAN HORBALY
CLERK**