

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

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IN THE MATTER OF
APPLICATION TO PROCEED
IN FORMA PAUPERIS
Revision of General Order 62

GENERAL ORDER
NUMBER 93-3

The Court determines that many prisoners who are unable to pay the full costs of filing a petition and for service of process are nevertheless able to pay partial costs. Accordingly, the court has adopted a flexible method of making such determinations. In order to adjust the ratio of payment to include inmate litigants with sufficient assets to pay the fees and service of process, either in whole or in part, the following amended advisory criteria based on present economic status should be considered in arriving at a reasonable payment:

<u>Petitioner's</u>		<u>Clerk's Fee</u>		<u>Deposit for</u>
<u>Present Assets</u>				<u>Marshal's Fee</u>
<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>	<u>per Defendant</u>
<u>Amount</u>	<u>Amount</u>	<u>Payment</u>	<u>Payment</u>	
\$ 0.00	\$ 40.00	\$ 0.00	\$ 6.00	\$ 0.00
\$ 40.01	\$ 90.00	\$ 6.00	\$ 18.00	\$ 0.00
\$ 90.01	\$130.00	\$ 18.00	\$ 30.00	\$ 5.00
\$130.01	\$170.00	\$ 30.00	\$ 42.00	\$ 5.00
\$170.01	\$210.00	\$ 42.00	\$ 54.00	\$ 5.00
\$210.01	\$250.00	\$ 54.00	\$ 66.00	\$ 5.00
\$250.01	\$290.00	\$ 66.00	\$ 78.00	\$ 10.00
\$290.01	\$330.00	\$ 78.00	\$ 90.00	\$ 10.00
\$330.01	\$370.00	\$ 90.00	\$102.00	\$ 10.00
\$370.01	\$410.00	\$102.00	\$114.00	\$ 20.00
\$410.01	\$450.00	\$114.00	\$120.00	\$ 20.00

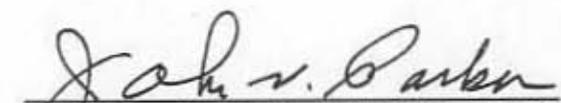
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These guidelines are intended to serve solely as a point of reference and do not preclude either consideration of the numerous other variables inherent in a 28 U.S.C. 1915 determination or the selection of separate standards to apply in cases in which the petitioner's prior financial record makes reliance on his present economic status inappropriate.

The Clerk of Court shall mail a copy of this General Order to the Attorney General of Louisiana, to the Secretary of the Louisiana Department of Corrections and to the Warden of each Louisiana penal institution located within this district with the request that this information be published within each institution. These provisions shall be effective November 15, 1993.

SO ORDERED.

Baton Rouge, Louisiana, November 2, 1993.


JOHN V. PARKER, CHIEF JUDGE
MIDDLE DISTRICT OF LOUISIANA


FRANK J. POLOZOLA
UNITED STATES DISTRICT JUDGE