

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

MICHAEL DAVID WILSON, JR.,

Plaintiff,

v.

WARDEN CLINTON PERRY, et al.,

Defendant.

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Case No. 5:21-cv-00457-MTT-CHW

**Proceedings Under 42 U.S.C. §1983
Before the U. S. Magistrate Judge**

ORDER

Pro se Plaintiff Michael David Wilson, Jr., an inmate at the Macon State Prison in Oglethorpe, Georgia, filed a civil rights complaint under 42 U.S.C. § 1983. ECF No. 1. Plaintiff also filed a motion to proceed *in forma pauperis*. ECF No. 2. On January 10, 2022, Plaintiff's motion to proceed *in forma pauperis* was denied due to Plaintiff's ability to pay the \$402.00 filing fee and he was ordered to pay the fee within fourteen days. ECF No. 6. On January 27, 2022, Plaintiff filed a letter which included a request for extension of time to pay the filing fee. ECF No. 7. Plaintiff's request was granted and he was allowed fourteen (14) additional days to pay the filing fee. ECF No. 9. The fee was not paid. Instead, on February 23, 2022, Plaintiff filed another request for an additional extension of time to pay the filing fee. ECF No. 10. Plaintiff's request for additional time to pay the filing fee was granted and Plaintiff was provided an additional twenty-one (21) days to pay the filing fee. ECF No. 11. The fee was not paid.

On March 21, 2022, Plaintiff submitted a letter in which he requested reconsideration of this Court's previous order denying his motion to proceed *in forma pauperis*. ECF No. 12.

Plaintiff included with his letter a document which indicates that Plaintiff has \$771.45 in his inmate account. ECF No. 12-1. Because Plaintiff has the funds to pay the filing fee, Plaintiff's motion for reconsideration is **DENIED**.

Plaintiff has alleged that prison officials have delayed the payment of his filing fee. ECF No. 12. Plaintiff is therefore instructed to show the appropriate prison official this Order in requesting the payment of this filing fee. If the prison official still refuses to promptly submit payment to the Court, Plaintiff should notify the Court: (1) the name of the prison official from whom he requested the payment of his fees; (2) the date he made such request; and (3) the date that he was notified that the prison official would not promptly submit the payment. If Plaintiff receives notification in writing from the prison official regarding an inability to pay the filing fee to the Court, Plaintiff should provide the Court with a copy of this notification. Plaintiff shall have FOURTEEN (14) DAYS from the date shown on this Order to submit this information in the event the filing fees are not submitted to the Court.

There shall be **no service** in this case until further order of the Court and Plaintiff shall keep the Court informed of any address change. Plaintiff is cautioned that failure to follow these instructions may result in dismissal of his complaint. Fed. R Civ. P. 41(b).

SO ORDERED, this 30th day of March, 2022.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge