

**EXPLANATION OF FILING FEES AND PROCEEDING
WITHOUT PREPAYMENT OF FEES AND COSTS**

If you have enough money, your complaint must be accompanied by a filing fee of \$350.00 and a \$50.00 administrative fee if not granted *in forma pauperis* status. In addition, you will be required to pay the costs of serving a copy of your complaint on each of the named defendants.

If you are currently unable to pay the filing fee and the costs of service, you may request permission to proceed without prepayment of fees and costs. Most prisoners who proceed without prepayment of fees and costs must pay the full filing fee. If you have sufficient funds in your account, the court will assess and, when funds exist, collect an initial partial filing fee of 20% of the greater of

1. the average monthly deposits in your account; or
2. the average monthly balance in your account for the six-month period preceding the filing of the complaint.

After paying the initial partial filing fee, you must make monthly payments of 20% of your preceding month's income until the \$350.00 is paid. No payment is required in months when the preceding month's income is \$10.00 or less. 28 U.S.C. § 1915(b)(2).

A prisoner with no assets and no means by which to pay the initial partial filing fee is not prohibited from bringing a civil action.

To request pauper's status, complete the enclosed Application to Proceed Without Prepayment of Fees and Costs and follow the instructions below:

1. Your Application must be legibly handwritten or typewritten. Answer all questions to the best of your knowledge and belief. Be concise.
2. Each plaintiff must submit and sign a separate Application to Proceed Without Prepayment of Fees and Costs.
3. Each plaintiff must file the original of his Application to Proceed Without Prepayment of Fees and Costs with the complaint form and keep a copy for his/her records.
4. If you require additional space to answer a question, attach a separate page to the affidavit.
5. The Certificate on page 2 of the Application to Proceed Without Prepayment of Fees and Costs must be completed by the Warden or Authorized Officer of the institution.