

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

MICHAEL JARROW,

Plaintiff,

v.

TERA N. DEVERS,

Defendant.

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2:21-CV-00227-Z-BR

ORDER GRANTING APPLICATION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

Before the Court is the application to proceed *in forma pauperis* on appeal filed by Plaintiff, a state prisoner, on May 7, 2024 (ECF 23). All documents appearing to be in order, Plaintiff is hereby GRANTED permission to proceed *in forma pauperis* on appeal.

IT IS SO ORDERED.

ENTERED May 8, 2024.


LEE ANN RENO
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

MICHAEL JARROW,

Plaintiff,

v.

TERA N. DEVERS,

Defendant.

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2:21-CV-00227-Z-BR

ORDER WITHDRAWING GRANT OF APPLICATION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

On May 8, 2024, the Court granted Plaintiff's application to proceed *in forma pauperis* on (ECF 23). The May 8 Order is hereby WITHDRAWN. Plaintiff's application will be addressed via separate order.

IT IS SO ORDERED.

ENTERED May 15, 2024.


LEE ANN RENO
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

MICHAEL JARROW,

Plaintiff,

v.

TERA N. DEVERS,

Defendant.

2:21-CV-227-Z-BR

**ORDER DENYING APPLICATION
TO PROCEED *IN FORMA PAUPERIS* ON APPEAL**

Before the Court is Plaintiff Michael Jarrow's Application to Proceed *In Forma Pauperis* on Appeal ("Application") (ECF No. 23).

Plaintiff is not permitted to proceed *in forma pauperis* because he is three-strikes barred. See ECF Nos. 7, 14. Within the time prescribed by Federal Rule of Appellate Procedure 4, Plaintiff either may pay the full filing fee and any relevant costs and proceed on appeal for plenary review, or contest with the court of appeals this court's denial of *in forma pauperis* status by filing a motion for leave to proceed *in forma pauperis* with the appellate court.

The filing fee for an appeal is \$605.00. In accordance with *Baugh v. Taylor*, 117 F.3d 197 (5th Cir. 1997), if Plaintiff is granted permission to proceed *in forma pauperis* by the appellate court, the court does not assess an initial partial filing fee.

If granted permission by the appellate court, Plaintiff shall pay the balance of the appeal fee in monthly installments as provided in 28 U.S.C. § 1915(b)(2) as funds become available in his institutional trust fund account. Plaintiff's custodial institution shall deduct each month twenty percent (20%) of the preceding month's income credited to plaintiff's inmate trust account and

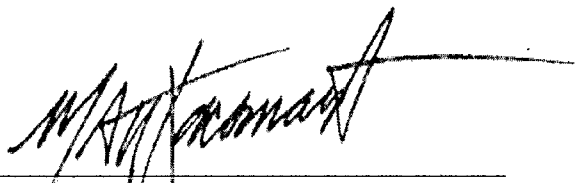
forward payments to the District Court, provided the account exceeds \$10.00, until the \$605.00 appeal fee is paid, pursuant to 28 U.S.C. Section 1915(b)(2).

If Plaintiff moves the United States Court of Appeals for the Fifth Circuit to proceed on appeal *in forma pauperis*, the Clerk shall mail a copy of this Order to the inmate account office or any other person or entity with responsibility for collecting and remitting to the district court interim filing payments on behalf of prisoners, as designated by the facility in which the prisoner is currently or subsequently confined.

Plaintiff has 30 days to challenge a denial of *in forma pauperis* status directly to the United States Court of Appeals for the Fifth Circuit by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit.

SO ORDERED.

May 16, 2024.



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

June 03, 2024

#02181127
Mr. Michael Jarrow
CID Clements Prison
9601 Spur 591
Amarillo, TX 79107-9606

No. 24-10302 Jarrow v. Devers
USDC No. 2:21-CV-227

Dear Mr. Jarrow,

The district court denied you in forma pauperis (IFP) status under 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a). You have 30 days from the date of this letter to pay the full \$605.00 fees to the **district court clerk**, or to challenge the district court's denial of IFP status. If you challenge the decision, you must apply to this court for IFP and include a brief supporting your position. Your brief may only discuss the reasons why you think the district court's denial of IFP was wrong. If you do not pay the full fees or file a motion and brief with this court, we will dismiss your appeal without further notice, 5th Cir. R. 42.3.

Sincerely,

LYLE W. CAYCE, Clerk



By: _____
Casey A. Sullivan, Deputy Clerk
504-310-7642

cc: Ms. Karen S. Mitchell



United States Court of Appeals for the Fifth Circuit

Certified as a true copy and issued
as the mandate on Aug 01, 2024

Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 24-10302

United States Court of Appeals
Fifth Circuit

FILED

August 1, 2024

Lyle W. Cayce
Clerk

Plaintiff—Appellant,

versus

MICHAEL JARROW,

TERA N. DEVERS,

Defendant—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:21-CV-227

CLERK'S OFFICE:

Under 5TH CIR. R. 42.3, the appeal is dismissed as of August 1, 2024, for want of prosecution. The appellant failed to timely pay the fee.

LYLE W. CAYCE
Clerk of the United States Court
of Appeals for the Fifth Circuit

A handwritten signature of Lyle W. Cayce in black ink.

By: _____
Casey A. Sullivan, Deputy Clerk

ENTERED AT THE DIRECTION OF THE COURT