

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MITCHELL WILLIAMS,

Plaintiff,

v.

OKLAHOMA, et al.,

Defendants.

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Case No. CIV-16-163-R

ORDER

Before the Court is Plaintiff Mitchell Williams' Motion for Reconsideration and Motion in the Alternative. Doc. No. 6. Plaintiff asks the Court to reconsider its April 4, 2016 Order which adopted the Report and Recommendation of Magistrate Judge Jones denying Plaintiff's Motion For Leave to Proceed *In Forma Pauperis*. Doc. No. 5. The Magistrate Judge found, and the undersigned agreed, that the information Plaintiff provided in his Motion demonstrated his monthly income exceeded his expenses by at least \$300 and by between \$440-\$550 if his discretionary expenses are excluded. *Id.*

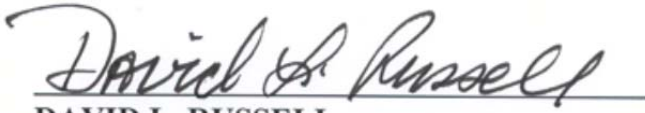
Nothing in Plaintiff's Motion for Reconsideration changes the Court's conclusion. Plaintiff submits that he found a surplus of \$180 in March, which he presumes is due to his decision to not work on his motorcycle; that he gives approximately \$70 per month in donations to various charities and organizations and is contemplating sending a \$50 donation to a hospital; and recently has spent approximately \$74 on clothing. Doc. No. 6. These discretionary expenditures further support the Court's conclusion that Plaintiff has

sufficient means to pay the required \$400 filing fee. Plaintiff's Motion for Reconsideration (Doc. No. 6) is therefore DENIED.

In the alternative, Plaintiff proposes paying a reduced filing fee amount of \$150. For the reasons discussed above, the Plaintiff appears to have sufficient funds to pay the full filing fee amount of \$400. Accordingly, this request is also DENIED.

The Court previously set a deadline of April 25, 2016 for Plaintiff to pay the \$400 filing fee. In light of Plaintiff's Motion for Reconsideration, filed on April 22, 2016, the Court will extend Plaintiff's payment deadline to **May 3, 2016**. Failure to tender the filing fee will result in dismissal without prejudice without further notice from the Court.

IT IS SO ORDERED this 26th day of April, 2016.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE