

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RONALD G. JOHNSON, :
 :
 Plaintiff, :
 :
 v. : Civ. No. 19-2307-RGA
 :
 OFFICER LISA FLORES, :
 :
 Defendant. :

MEMORANDUM ORDER

At Wilmington this 25th day of March, 2021, having considered Plaintiff's motions to reopen the case (D.I. 15, 16, 19);

IT IS ORDERED that the motions (D.I. 15, 16, 19) are **DENIED**, for the following reasons:

1. Plaintiff Ronald G. Johnson was a pretrial detainee at Howard R. Young Correction Institution in Wilmington, Delaware, when he commenced this action. On April 24, 2020, Plaintiff was ordered to pay the filing fee assessed while he was incarcerated. (D.I. 5). The case was dismissed on May 29, 2020 after Plaintiff failed to pay the assessed \$400.00 filing fee.¹ (See D.I. 11, 12).

2. On December 21, 2020, Plaintiff filed his first motion to reopen and asked that he be allowed to make filing fee payments. (D.I. 15). On December 23, 2020,

¹ Plaintiff sought *in forma pauperis* status, and his request was denied on January 6, 2020, pursuant to 28 U.S.C. § 1915(g) because while incarcerated Plaintiff has filed more than three civil actions that were dismissed as frivolous or for failure to state claims upon which relief may be granted. (See D.I. 5).

Plaintiff filed a second motion to reopen and to proceed as an indigent. (D.I. 16). On February 25, 2021, Plaintiff filed a third motion to reopen and informed the Court that he is housed in the Pasco County Jail in Land O'Lake, Florida. (D.I. 19).

3. Litigants are not allowed to make filing fee payments. See 28 U.S.C. § 1914. Under the Prison Litigation Reform Act, however, if the litigant is an inmate who has been granted leave to proceed *in forma pauperis*, the inmate may make filing fee payments. See 28 U.S.C. § 1915(b)(1). Plaintiff, however, was denied *in forma pauperis* status. See n.1. Accordingly, Plaintiff may not make filing fee payments and he may not proceed as an indigent. He was ordered to pay the filing fee in full and he did not. There is no basis to reopen the case.

/s/ Richard G. Andrews
UNITED STATES DISTRICT JUDGE