

STATE OF MAINE
KENNEBEC, SS.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. AP 17-45

STEVE ANCTIL,
Petitioner

ORDER

DEPARTMENT OF CORRECTIONS,
Respondent

Before the court is petitioner's motion for relief from order of the court directing him to pay an initial filing fee of \$0.33 and subsequent payments of 20% of his monthly income. He relies on mandate of the Law Court from his appeal of dismissal "for the court to act on Anctil's application to proceed without payment of fees."

4 M.R.S. § 1058 (2) allows for waiver of prepayment of filing fee where the person is without sufficient funds to pay. §1058 (3) states: "Notwithstanding subsection 2, the person shall pay the full amount of the filing fee. The court shall assess the person's financial status and, when funds exist, collect as partial payment of the filing fee an initial partial filing fee of 20% of the greater of: (A) The average monthly deposits... or (B) The average monthly balance in the general client account for the person for the 6-month period preceding the filing...."

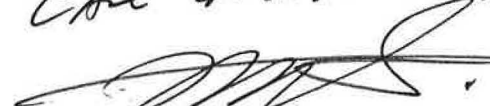
§1058 (4) requires monthly payments of 20% of the preceding month's deposits to the general account credited to the person.

This court's order of June 4, 2018 is required by law. The petitioner's motion is DENIED

June 27, 2018



JUSTICE, SUPERIOR COURT

8-13-18 The Petitioner was required to notify the Court by 7/1/18 whether he intended to incur the filing fee and to pay the initial payment of .33; or the case would be dismissed for lack of prosecution. The Petitioner has failed to pay the initial payment or inform the Court as ordered. Case dismissed for want of prosecution.  Justice, Superior Court