

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

MICHAEL W. BLASHFORD,
Claimant-Appellant,

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS
AFFAIRS,**
Respondent-Appellee.

2013-7094

Appeal from the United States Court of Appeals for
Veterans Claims in No. 11-575, Chief Judge Bruce E.
Kasold.

ON MOTION

O R D E R

Michael W. Blashford moves to reinstate the appeal
and for leave to proceed in forma pauperis.

The court notes that this appeal was dismissed on
January 9, 2014 for failure to pay the docketing fee. Mr.
Blashford moved on January 23, 2014 for leave to proceed
in forma pauperis and to reinstate the appeal.

Mr. Blashford is incarcerated. Pursuant to the Prisoner Litigation Reform Act of 1995, this court may not authorize the prosecution of an appeal by a prisoner without the prepayment of fees. 28 U.S.C. § 1915. A prisoner is no longer afforded the alternative of proceeding without payment of filing fees, but must, in time, pay the \$500 filing fee in its entirety. * When funds exist, an initial partial payment must be made consisting of 20% of the greater of (a) the average monthly deposits to the prisoner's account or (b) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the notice of appeal. 28 U.S.C. § 1915(b)(1). Thereafter, the prisoner is required to make monthly payments of 20% of the preceding month's income credited to the prisoner's account. 28 U.S.C. § 1915(b)(2). The agency with custody of the prisoner must forward payments from the prisoner's account each time the amount in the account exceeds \$10 until the \$500 filing fee is paid in full. *Id.*

By separate letter, the custodian of Mr. Blashford's prison account is being directed to make the necessary arrangements to forward the filing fee to the court.

Accordingly,

IT IS ORDERED THAT:

- (1) The motion for leave to proceed in forma pauperis is denied.
- (2) The motion to reinstate the appeal is granted.

* The court notes that Mr. Blashford signed Federal Circuit Form 6A, authorizing payment of this court's filing fee from his account. On December 1, 2013, the court increased its filing fee. Mr. Blashford's account will be charged the current fee of \$500.

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(3) The mandate is recalled, the court's dismissal order is vacated, and the appeal is reinstated.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court

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