



28 U.S.C. § 1915(g), so that he is still entitled to call into play the special provisions of 28 U.S.C. § 1915 ("Section 1915") applicable to prisoner lawsuits or appeals. Accordingly this Court has calculated the average monthly deposits to Johnson's trust fund account during the six months ended on the date of filing his appeal<sup>2</sup> as amounting to \$163.67. Hence Section 1915(b)(1) calls for payment of the appellate filing fees in installments, with the initial payment being 20% of that figure (id.) or \$32.73 and with the payment of later installments as provided by Section 1915.



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Milton I. Shadur  
Senior United States District Judge

Date: July 10, 2017

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<sup>2</sup> That date was June 20, 2017, the date of "filing" under the "mailbox rule" dictated by Houston v. Lack, 487 U.S. 266 (1988) (see the notice of appeal entry in D. Ct. Dkt. No. 20).