IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

SEAN CHRISTOPHER THOMAS,

Plaintiff,

v.

APPLING COUNTY SHERIFF'S OFFICE, CAPTAIN JEFF EVANS, and INV. MARK VARNADORE,

Defendants.

CIVIL ACTION NO.: 2:26-cv-16

SHIELDS OF SHAME

O R D E R

Plaintiff submitted a Complaint under 42 U.S.C. § 1983 and seeks to proceed *in forma pauperis*. After reviewing Plaintiff's Motions, it appears Plaintiff lacks sufficient resources to prepay the filing fee. Docs. 2, 12. Thus, the Court **GRANTS** Plaintiff's Motions. Under the Prison Litigation Reform Act ("the Act"), prisoners who are allowed to proceed *in forma pauperis* must pay the full $350.00 filing fee but are not required to prepay the fee. 28 U.S.C. § 1915(b)(1). Therefore, Plaintiff must pay an initial partial filing fee and then monthly payments until the entire $350.00 fee has been paid.[1] Plaintiff must also comply with the following instructions:

(1) Plaintiff must provide a Prisoner Trust Fund Account Statement to the trust (financial) officer of each prison where he has been confined for the

[1] **Payment Amounts.** The initial payment shall be 20% of the greater of the average monthly deposits to, or average monthly balance in, the prisoner's account for the six-month period immediately preceding the filing of the complaint. The Court will calculate the amount of the initial payment after it receives the required forms described in this Order. After the initial partial filing fee is paid, prison officials will then collect the remainder of the filing fee by deducting 20% of the preceding month's income credited to the prisoner's account. 28 U.S.C. § 1915(b)(2). These monthly payments shall be forwarded to the Clerk of Court each time the amount in Plaintiff's account exceeds $10 until the full $350.00 filing fee has been paid. Id.

past six months. The trust officer will complete the form and return it and supporting documents to Plaintiff. Plaintiff must send the completed forms to the Court. Copies of the form are attached.

(2) Plaintiff must sign and date a Consent to Collection of Fees from Trust Account, consenting to the collection of the entire filing fee from his prison account in installments. A copy of the form is attached.

Plaintiff must return these forms to the Clerk **on or before April 12, 2026**. Additionally, while this action is pending, Plaintiff shall immediately inform the Court in writing of any change of address. Local R. 11.1. If Plaintiff fails to comply with this Order, Plaintiff's case will be dismissed for failure to prosecute and follow this Court's Orders.

Plaintiff's Option to Voluntarily Dismiss

Generally speaking, prisoners' complaints are often dismissed for the following reasons:

(1) **Lack of Cognizable Claims.** The complaint is frivolous, malicious, fails to state a claim upon which relief may be granted, or which seeks monetary relief from a defendant who is immune. 28 U.S.C. § 1915A(b).

(2) **Exhaustion of Remedies.** The Act requires prisoners to exhaust all available administrative remedies before filing a federal lawsuit that challenges "prison conditions" in a civil action. 42 U.S.C. § 1997e.

(3) **Three Strikes.** A prisoner cannot bring a new civil action or appeal a judgment in a civil action in forma pauperis if the prisoner has on three or more prior occasions, while incarcerated, brought a civil action or appeal in federal court that was dismissed because it was frivolous, malicious, or failed to state a claim upon which relief may be granted. The only exception to this "three strikes" rule is if the prisoner is in "imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

The Court has not made any determination about whether Plaintiff's Complaint should be dismissed for these reasons, but Plaintiff should be aware of these grounds for dismissal. If Plaintiff's Complaint is dismissed for any of these reasons, the Court will still collect the full filing fee from Plaintiff's trust account. However, Plaintiff may voluntarily dismiss the Complaint now by filing a notice of dismissal. Fed. R. Civ. P. 41(a)(1). If Plaintiff voluntarily dismisses the Complaint now, Plaintiff will not be required to pay a filing fee, and this case will

SHIELDS OF SHAME

not count as a "strike" when determining whether Plaintiff has accrued "three strikes" in future cases.

SO ORDERED, this 13th day of March, 2026.



BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

SHIELDS OF SHAME

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PRISONER TRUST FUND ACCOUNT STATEMENT

Under the Prison Litigation Reform Act, a prisoner seeking to bring a civil action without prepayment of fees must obtain from the appropriate prison official a certified copy of the prisoner's trust account statement for the six-month period immediately preceding the filing of the complaint. Plaintiff in this case has been instructed by the Court to furnish this form to the trust officer of each institution where he has been confined for the last six months.

Please complete this form, attach the supporting ledger sheets, and return these documents to the prisoner for mailing to the Court.

DATE OF FILING COMPLAINT: February 6, 2026

AVERAGE MONTHLY DEPOSITS during the six months prior to filing of the complaint: _____

AVERAGE MONTHLY BALANCE during the six months prior to filing of the complaint: _____

I certify the above information accurately states the deposits and balances in the Plaintiff's trust account for the period shown and the attached ledger sheets are true copies of the account records maintained by this institution.

_____ _____
Signature of Authorized Officer of Institution Date

_____
Print or Type Name

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Signature of Authorized Officer of Institution Date

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SHIELDS OF SHAME

CONSENT TO COLLECTION OF FEES FROM TRUST ACCOUNT

As a condition to proceeding with this lawsuit, I hereby consent for the appropriate prison officials to withhold from my prison account and pay to the Court an initial partial filing fee equal to 20 percent of the greater of:

(a) the average monthly deposits to my account, or

(b) the average monthly balance in my account

for the six-month period immediately preceding the filing of my complaint. I understand I may not withdraw any monies from my account until this initial payment has been paid.

After the payment of any initial partial filing fee, I further consent for the appropriate prison officials to collect from my account on a continuing basis each month an amount equal to 20 percent of all deposits credited to my account during the preceding month. Each time the set aside amount reaches $10.00, the trust officer shall forward the payment to the Clerk's Office, United States District Court, until such time as the $350.00 filing fee is paid in full. In the event I file a Notice of Appeal, I also give my consent for the appropriate prison officials to similarly collect from my account the applicable appellate court filing fee.

By executing this document, I also authorize collection on a continuing basis of any additional costs which may be imposed by the Court.

Date: _____ Plaintiff's Signature: _____

Plaintiff's Prison No.: _____