

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

David Hightower v. State of Missouri, et al.

Hightower · No. No. 4:25-cv-00138-JMB · Decided December 5, 2025

OPINION

Hightower

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

DAVID HIGHTOWER,)

) Plaintiff,)) v.) No. 4:25-cv-00138-JMB) STATE OF MISSOURI, et al.,)) Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on remand from the United States Court of Appeals for the Eighth Circuit for calculation and collection of the appellate filing fee pursuant to *Henderson v. Norris*, 129 F.3d 481 (8th Cir. 1997). See Doc. 11. The Court previously ordered Plaintiff to file an updated copy of his prison account statement for the past six months, but Plaintiff has not done so. Under *Henderson*, if the Court does not receive a copy of Plaintiff's prison account statement, "it shall calculate the initial appellate partial filing fee at \$35 or such other reasonable amount warranted by available information." *Henderson*, 129 F.3d at 485. The Court calculated Plaintiff's initial partial filing fee in the district court at \$8.20 based on the prison account statement he filed on February 3, 2025. Doc. [5]. The Court finds \$8.20 to be a reasonable amount for the initial partial appellate filing fee. IT IS HEREBY ORDERED that Plaintiff must pay an initial appellate filing fee of \$8.20 within 30 days of the date of this Order. Plaintiff is instructed to make his remittance payable to "Clerk, United States District Court," and include on it: (1) his name; (2) his prison registration number; (3) the case number; and (4) that the remittance is for an appellate proceeding. Dated this 5th day of December, 2025. /s/ John M. Bodenhausen

JOHN M. BODENHAUSEN

UNITED STATES MAGISTRATE JUDGE