

Jun 12, 2026

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

IN RE: THE COLLECTION OF FEES
PURSUANT TO 28 U.S. CODE § 1914 AND 28 U.S. CODE § 1915

GENERAL ORDER NO. 2026-12

On June 8, 2026, the Court was made aware of a continuing historical practice in the Eastern District of Washington that allowed for the entry of an Order waiving the collection of a filing fee when a prisoner voluntarily dismisses the lawsuit. Several district courts in the Ninth Circuit have concluded that they do not have the authority to waive the filing fee in a prisoner action, and the Court concurs with that conclusion.

THE COURT FINDS that Title 28 U.S.C. § 1915 does not provide any authority or mechanism for the Court to reduce or waive the payment of Plaintiff's filing fee, suspend collection of the filing fee, or to reimburse any payments already made, and as such the historical practice of waiving the collection of a filing fee when a prisoner voluntarily dismisses the lawsuit is beyond the scope of the Court's authority.

