



United States District Court

# DISTRICT OF SOUTH DAKOTA

## LR 83.5 CLERK'S FEES

### A. Filing Fees.

1. **Actions.** Except in seaman's suits, any party commencing any civil action, suit, or proceedings, whether by original process, removal, or otherwise, must pay to the clerk of court the statutory filing fee before the case will be filed and process issued thereon. (28 U.S.C. § 1914).
2. **Appeals.** The appellant must pay the statutory fee for an appeal to the clerk of the district court. (28 U.S.C. § 1917).
3. **Habeas Corpus.** The petitioner or applicant for a writ of habeas corpus, must pay the statutory filing fee to the clerk of court. (28 U.S.C. § 1914).

**B. Miscellaneous Fees.** The clerk of court will collect from parties such additional fees only as are prescribed by the Judicial Conference of the United States. Payment of such fees may be required by the clerk of court before furnishing the service therefor.

**C. Refusal to File by the Clerk.** The clerk of court may refuse to docket or file any suit or proceeding, writ, or other process, pleading or other paper in any suit or proceeding until the required filing fees are paid, except as otherwise ordered by the court in proceedings in forma pauperis. (28 U.S.C. §§ 1914(c) and 1915).