

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-40054  
Summary Calendar

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ISAAC FRANKLIN, JR.,

Plaintiff - Appellant,

VERSUS

VICTOR RODRIQUEZ, Chairman, Board of Pardons and Parole; GERALD GARRETT, Board Member; BRENDOLYN ROGERS GARDNER, Board Member; W.G. "BILLY" WALKER, Board Member,

Defendants - Appellees.

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Appeal from the United States District Court  
For the Eastern District of Texas

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(6:99-CV-83)

June 10, 2002

Before DeMOSS, PARKER, and DENNIS, Circuit Judges

PER CURIAM: \*

Isaac Franklin, Texas prisoner #557634, appeals from the dismissal of his 42 U.S.C. § 1983 lawsuit and from the denial of

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

his postjudgment motion seeking withdrawal of the district court's order requiring collection of the full filing fee. Franklin's sole argument regarding the district court's dismissal was remedied upon limited remand. Accordingly, the district court's final judgment is affirmed.

Franklin also challenges the district court's denial of his postjudgment motion for withdrawal of the collection order for payment of the full filing fee. At the time of the challenged denial, withdrawal of the collection order was no longer permitted, despite the fact that Franklin voluntarily dismissed the instant lawsuit. See *Hatchet v. Nettles*, 201 F.3d 651, 654 (5th Cir. 2000). The district court's denial of Franklin's postjudgment motion was therefore not erroneous and is affirmed.

AFFIRMED.