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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,

1:04-cv-05953-LJ0-DLB-(HC)

Plaintiff,

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL;
ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND DIRECTING CLERK TO
SERVE THE COURT OF APPEALS

vs.

A. K. SCRIBNER, et al.,

Defendants.

_____/ (DOCUMENT # 232, 239)

Plaintiff is a California state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Judgment was entered in this case on December 9, 2010, and on January 13, 2011, Plaintiff filed a notice of appeal.

On January 13, 2011, Plaintiff filed a motion for leave to proceed in forma pauperis on appeal pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff is obligated to pay the statutory filing fee of \$455.00 for this appeal. Plaintiff is obligated to make monthly payments in the amount of twenty percent of the proceeding month's income credited to plaintiff's trust account. The California Department of Corrections is required to send to the Clerk of the Court payments from plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915.

/////

1 In accordance with the above and good cause appearing therefore, IT IS HEREBY ORDERED
2 that:

3 1. Plaintiff's application to proceed in forma pauperis on appeal is GRANTED; and

4 **2. The Director of the California Department of Corrections or his designee shall collect**
5 **payments from plaintiff's prison trust account in an amount equal to twenty percent (20%)**
6 **of the preceding month's income credited to the prisoner's trust account and shall forward**
7 **those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00,**
8 **in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$455.00 has been collected and**
9 **forwarded to the Clerk of the Court. The payments shall be clearly identified by the name**
10 **and case number assigned to this action.**

11 3. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's in
12 forma pauperis application on the Director of the California Department of Corrections, via the court's
13 electronic case filing system (CM/ECF).

14 4. The Clerk of the Court is Directed to serve a copy of this order on the Court of Appeals for
15 the Ninth Circuit.

16 5. The Clerk of Court is directed to serve a copy of this order on the Financial Department,
17 U.S. District Court, Eastern District of California, Fresno Division.

18 6. Within sixty (60) days of the date of service of this order, plaintiff shall submit a certified
19 copy of his/her prison trust account statement for the six-month period immediately preceding the filing
20 of the complaint, if plaintiff has not already done so.

21
22 IT IS SO ORDERED.

23 **Dated: February 8, 2011**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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