

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

ELONZA JESSE TYLER,

Plaintiff,

vs.

GUYLER TULP, et al.,

Defendants.

1:06-CV-00091-REC-DLB-P

ORDER VACATING ORDER OF
APRIL 4, 2006, DIRECTING
PAYMENT OF FILING FEE
(DOCUMENT #7)

Plaintiff, a state prisoner proceeding pro se, is proceeding pro se and in forma pauperis in a civil rights action.

On April 4, 2006, the court issued an order entitled "Order Directing Payment of Inmate Filing Fee," directing the Director of the California Department of Corrections to send payments to the court from plaintiff's inmate trust account for the statutory filing fee for this action. The first page of the order refers to the statutory filing fee of \$150.00, which is erroneous because the filing fee is \$250.00 and not \$150.00. Therefore, the court shall vacate its order and issue a new order in its place to correct the filing fee amount.

Accordingly, IT IS HEREBY ORDERED that:

1. The court's order of April 4, 2006, entitled "Order Directing Payment of Inmate Filing Fee," is VACATED in its entirety;
2. A new order entitled "Second Order Directing Payment of Inmate Filing Fee" shall issue directing the Director of the California Department of Corrections to send

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

payment to the court for the payment of the \$250.00 filing fee for this action; and

3. The Clerk is DIRECTED to serve a copy of this order on:

(1) California Department of Corrections
1515 S Street
Sacramento, CA 95814, and

(2) Financial Department, U.S. District Court, Eastern District of California,
Fresno Division.

IT IS SO ORDERED.

3c0hj8 **Dated:** April 7, 2006

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE