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

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11 MICHAEL J. COE, 1:07-CV-00683-AWI-NEW(DLB) P  
12 Plaintiff,  
13 vs. ORDER GRANTING APPLICATION TO  
14 JAMES A. YATES, PROCEED IN FORMA PAUPERIS  
15 Defendant.  
16 \_\_\_\_\_ /

17 Plaintiff is a prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983 and  
18 has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was  
19 referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

20 Plaintiff has submitted a declaration that makes the showing required by § 1915(a). Accordingly,  
21 the request to proceed in forma pauperis will be granted. 28 U.S.C. § 1915(a).

22 Pursuant to 28 U.S.C. § 1915(b)(1), enacted April 26, 1996, plaintiff is required to pay the  
23 statutory filing fee of \$350.00 for this action.<sup>1</sup> Plaintiff has been without funds for six months and is  
24 currently without funds. Accordingly, the court will not assess an initial partial filing fee. 28 U.S.C.  
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27 <sup>1</sup> The statutory filing fee for all civil actions except applications for writs of habeas corpus is \$350.00. See 28  
U.S.C. § 1914(a).

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1 § 1915(b)(1). Plaintiff is obligated to make monthly payments of 20 percent of the preceding month's  
2 income credited to plaintiff's prison trust account. These payments shall be collected and forwarded by  
3 the appropriate agency to the Clerk of the Court each time the amount in plaintiff's account exceeds  
4 \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

5 In accordance with the above, IT IS HEREBY ORDERED that:

6 1. Plaintiff's request for leave to proceed in forma pauperis is granted.  
7 2. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. The fee  
8 shall be collected and paid in accordance with this court's order to the Director of the California  
9 Department of Corrections filed concurrently herewith.

10 IT IS SO ORDERED.

11 Dated: May 21, 2007

12 /s/ Dennis L. Beck  
13 UNITED STATES MAGISTRATE JUDGE

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