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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

VICTOR SANCHEZ-CALLE,

1:09-cv-02095-SMS-(PC)

Plaintiff,

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS
(#5)

v.

and

WAGNER,

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY KERN
COUNTY SHERIFF'S DEPARTMENT

Defendant.

_____ /

Plaintiff is a prisoner proceeding pro se pursuant to 28 U.S.C. § 1331 and has requested leave to proceed in forma pauperis 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 \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The Kern County Sheriff's Department 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(b)(2).

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

- 1. Plaintiff's application to proceed in forma pauperis is GRANTED;

1 **2. The Sheriff of the Kern County Sheriff’s Department or his designee shall**
2 **collect payments from plaintiff’s prison trust account in an amount equal to twenty per cent**
3 **(20%) of the preceding month’s income credited to the prisoner’s trust account and shall**
4 **forward those payments to the Clerk of the Court each time the amount in the account exceeds**
5 **\$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected**
6 **and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name**
7 **and number assigned to this action.**

8 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
9 plaintiff’s in forma pauperis application on the Sheriff of the Kern County Sheriff’s Department at
10 1350 Norris Road, Bakersfield, California 93308.

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

13 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a
14 certified copy of his prison trust account statement for the six-month period immediately preceding
15 the filing of the complain, if plaintiff has not already done so.

16 IT IS SO ORDERED.

17 **Dated: March 11, 2010**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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