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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 RICK DIXON,

12 Plaintiff,

13 vs.

14 K. ALLISON, et al.,

15 Defendants.
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1:10-cv-02365-GSA-PC

ORDER VACATING ORDER OF
DECEMBER 27, 2010, WHICH
GRANTED PLAINTIFF LEAVE TO
PROCEED IN FORMA PAUPERIS
AND DIRECTED THE CDCR TO
MAKE PAYMENTS FOR FILING FEE
(Doc. 4.)

ORDER FOR CLERK TO SERVE
COPIES OF THIS ORDER ON THE
CDCR AND THE COURT'S
FINANCIAL DEPARTMENT

19 Rick Dixon ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action
20 pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on
21 December 20, 2010, together with an application to proceed in forma pauperis pursuant to 28
22 U.S.C. § 1915(g). (Docs. 1, 2.) On December 27, 2010, the court granted Plaintiff leave to
23 proceed in forma pauperis and directed the California Department of Corrections and
24 Rehabilitation (CDCR) to deduct funds from Plaintiff's prison trust account for payment of the
25 filing fee. (Doc. 4.)

26 On May 17, 2013, Plaintiff paid the \$350.00 filing fee in full for this action. (Court
27 Record.) Because the filing fee has been paid in this manner, Plaintiff is not entitled to proceed
28 in forma pauperis in this action. Therefore, the court shall vacate its order of December 27,

1 2010, which granted Plaintiff leave to proceed in forma pauperis and directed the CDCR to
2 make payments from Plaintiff's prison trust account for payment of the filing fee.¹

3 Accordingly, based on the foregoing, it is HEREBY ORDERED that:

- 4 1. The court's order of December 27, 2010, which granted Plaintiff leave to
5 proceed in forma pauperis and directed the CDCR to deduct funds from
6 Plaintiff's prison trust account for payment of the filing fee, is VACATED; and
7 2. The Clerk is directed to serve a copy of this order on:
8 (1) the Director of the CDCR, via CM/ECF; and
9 (2) the Financial Department, U.S. District Court, Eastern District of
10 California, Fresno Division.

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14 IT IS SO ORDERED.

15 Dated: October 2, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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¹ According to court financial records, no payments have been received to date from the CDCR for payment of Plaintiff's filing fee for this action.