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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

CASE NO. 1:11-cv-0068-AWI-MJS (PC)

Plaintiff,

ORDER GRANTING MOTION FOR COURT  
TO RETURN PLAINTIFF'S COMPLAINT

v.

(ECF No. 13)

DEPARTMENT OF CORRECTIONS &  
REHABILITATION, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff Bryan E. Ransom ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 9, 2011, pursuant to 28 U.S.C. § 1915(g), the Court denied Plaintiff the right to proceed in forma pauperis and dismissed his action without prejudice to refiling contemporaneous with the submission of the \$350.00 filing fee. (Order, ECF No. 3.) The Court also found that Plaintiff did not meet the imminent danger exception. (Id. at 1-2.) Plaintiff filed a Motion to Reconsider the Court's ruling regarding his in forma pauperis status (ECF No. 5). That Motion was denied (ECF No. 6). Plaintiff then appealed the Court's in forma pauperis ruling. (ECF No. 7.) The Ninth Circuit found that Plaintiff could

1 meet the imminent danger exception established in 28 U.S.C. § 1915(g), vacated the  
2 District Court's Order denying leave to proceed in forma pauperis, and remanded the case  
3 to the District Court. (ECF No. 12.)  
4

5 Accordingly, the Court now authorizes Plaintiff to proceed in forma pauperis.

6 Also before the Court is Plaintiff's Motion for the Court to Return Plaintiff's  
7 Complaint. (ECF No. 13.) Plaintiff's Motion is granted.

8 Accordingly, it is hereby ORDERED THAT:

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

10 a. **The Director of the California Department of Corrections or his**  
11 **designee shall collect payments from Plaintiff's prison trust**  
12 **account in an amount equal to twenty percent (20%) of the**  
13 **preceding month's income credited to the prisoner's trust**  
14 **account and shall forward those payments to the Clerk of the**  
15 **Court each time the amount in the account exceeds \$10.00, in**  
16 **accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00**  
17 **has been collected and forwarded to the Clerk of the Court.**

18 **The payments shall be clearly identified by the name and case**  
19 **number assigned to this action;**

20 b. The Clerk of the Court is directed to serve a copy of this order and  
21 a copy of Plaintiff's in forma pauperis application on the Director of  
22 the California Department of Corrections, via the court's electronic  
23 case filing system (CM/ECF);  
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c. The Clerk of Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California, Fresno Division;

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

2. Plaintiff's Motion for the Court to Return Plaintiff's Complaint (ECF No. 13) is GRANTED; the Clerk's Office is directed to return Plaintiff's Complaint to him.

IT IS SO ORDERED.

Dated: December 1, 2011

*Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE