

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ERNESTO SOTO,

Plaintiff,

v.

MATTHEW CATE, et al.,

Defendants.

CASE: 1:12-cv-00477-GBC (PC)

ORDER VACATING ORDER DIRECTING  
COLLECTION OF FILING FEE FROM  
TRUST ACCOUNT

On March 29, 2012, Plaintiff Ernesto Soto ("Plaintiff"), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. Doc. 1. On April 19, 2012, the Court granted Plaintiff's motion to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Doc. 10. On July 18, 2012, the Court granted Plaintiff's motion to pay the filing fee. Doc. 13. On September 13, 2012, Plaintiff paid the filing fee in full.

Accordingly, IT IS HEREBY ORDERED that:

1. The Court's order directing the collection of the filing fee from Plaintiff's trust account is VACATED, which directed the Director of the California Department of Corrections and Rehabilitation or his designee to deduct the \$350.00 filing fee from Plaintiff's trust account whenever the balance exceeds \$10.00; and
2. The Clerk of the Court to serve a copy of this order on (1) the Financial Department, U.S. District Court, Eastern District of California, Fresno Division and (2) the Director of the California Department of Corrections and Rehabilitation via the Court's electronic case filing system (CM/ECF).

IT IS SO ORDERED.

Dated: October 5, 2012

  
UNITED STATES MAGISTRATE JUDGE