



1 (b)(1) . . . if a prisoner brings a civil action or files an appeal *in forma pauperis*,  
2 the prisoner shall be required to pay the full amount of a filing fee. The court  
3 shall assess and, when funds exist, collect, as a partial payment of any court fees  
4 required by law, an initial partial filing fee of 20 percent of the greater of --

5 (A) the average monthly deposits to the prisoner's account; or

6 (B) the average monthly balance in the prisoner's account for the 6-  
7 month period immediately preceding the filing of the complaint or  
8 notice of appeal.

9 (2) After the initial partial filing fee, the prisoner shall be required to make  
10 monthly payments of 20 percent of the preceding month's income credited to  
11 the prisoner's account. The agency having custody of the prisoner shall  
12 forward payments from the prisoner's account to the clerk of the court each  
13 time the amount in the account exceeds \$10 until the filing fees are paid.

14 28 U.S.C. § 1915 (b)(1)(A),(B). *In forma pauperis* status does not waive the filing fee for  
15 incarcerated/detained plaintiffs; rather it allows such persons to make payments on the filing fee  
16 until it is paid in full.

17 Accordingly, Plaintiff's detention and his *in forma pauperis* status require monthly withdrawals  
18 from his inmate trust account to make payments on his filing fees for the present action and any other  
19 pending civil actions filed by Plaintiff. Such withdrawals will continue until the filing fees in all of  
20 Plaintiff's civil actions are paid in full, regardless of whether any of Plaintiff's civil actions are open, or  
21 dismissed and closed.

22 Finally, the filing fees being collected from Plaintiff's trust account are for the administrative  
23 origination and maintenance of Plaintiff's case—not for the Court's "help" in a civil action filed by  
24 Plaintiff. "District judges have no obligation to act as counsel or paralegal to *pro se* litigants," *Pliler v.*  
25 *Ford*, 542 U.S. 225, 231 (2004), and must refrain from issuing advisory opinions, *see Flast v. Cohen*, 392  
26 U.S. 83, 96 (1968). Since Plaintiff is a detained, *pro se* litigant, the Court is required at the pleading stage,  
27 where correctable deficiencies exist, to provide applicable standards and opportunity to amend. *Lopez v.*  
28 *Smith*, 203 F.3d 1122, 1130 (9th Cir. 2000); *Noll v. Carlson*, 809 F.2d 1446, 1448-49 (9th Cir. 1987). This  
was provided in the order that screened and dismissed Plaintiff's original Complaint and granted him leave  
to file a first amended complaint. (Doc. 10.) However, Plaintiff did not file a first amended complaint, or  
any other response to the screening order, which resulted in dismissal and closure of this action. (Docs.  
11, 12.)

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Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to terminate *in forma pauperis* withdrawals from Plaintiff's trust account toward the filing fee in this action, filed on June 1, 2018, (Doc. 14), be DENIED.

IT IS SO ORDERED.

Dated: June 6, 2018

/s/ Sheila K. Olerto  
UNITED STATES MAGISTRATE JUDGE