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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDWARD RAY McKINNEY,

Plaintiff,

v.

TY FORD, et al.,

Defendants.

Case No. 1:13-CV-01879-LJO-SMS

ORDER GRANTING APPLICATION
TO PROCEED *IN FORMA PAUPERIS*

(Doc. 2)

Plaintiff Edward Ray McKinney, a prisoner proceeding *pro se* pursuant to 42 U.S.C. § 1983, has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Because Plaintiff has made the showing required by § 1915(a), the Court grants his motion to proceed *in forma pauperis*.

Plaintiff must nonetheless pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Under the statute, he is obligated to make monthly payments equal to the amount of twenty percent (20%) of the previous month's income credited to his prison trust account. The California Department of Corrections and Rehabilitation is required to send to the Clerk of 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).

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Accordingly, the Court hereby ORDERS:

1. Plaintiff's application to proceed *in forma pauperism* is GRANTED.

2. **The Director of the California Department of Corrections and Rehabilitation or his designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account and shall forward those payments to the Clerk of Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to the Clerk of Court. The payments shall be clearly identified by the name and number assigned to this action.**

3. The Clerk of Court is directed to serve a copy of this order and a copy of Plaintiff's *in forma pauperis* application on the Director of the California Department of Corrections and Rehabilitation via the Court's electronic case filing system (CM/ECF).

4. 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.

IT IS SO ORDERED.

Dated: December 4, 2013

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE