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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BILLY JOE SPENCER,  
Plaintiff,  
v.  
P.D. BRAZELTON, et al,  
Defendants.

1:14-cv-00707 MJS (PC)

ORDER GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS

(ECF No. 2)

and

ORDER DIRECTING PAYMENT  
OF INMATE FILING FEE BY NORTH FORK  
CORRECTIONAL FACILITY

Plaintiff Billy Joe Spencer ("Plaintiff") is a prisoner proceeding pro se pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to Plaintiff's trust account. North Fork Correctional Facility is required to send to the Clerk of the 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

1 U.S.C. § 1915(b)(2).

2 In accordance with the above and good cause appearing therefore, IT IS  
3 HEREBY ORDERED that:

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

5 **2. The Director of North Fork Correctional Facility or his designee shall**  
6 **collect payments from Plaintiff's prison trust account in an amount equal to**  
7 **twenty per cent (20%) of the preceding month's income credited to the**  
8 **prisoner's trust account and shall forward those payments to the Clerk of**  
9 **the Court each time the amount in the account exceeds \$10.00, in**  
10 **accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been**  
11 **collected and forwarded to the Clerk of the Court. The payments shall be**  
12 **clearly identified by the name and number assigned to this action.**

13 3. The Clerk of the Court is directed to serve a copy of this order and a copy  
14 of Plaintiff's in forma pauperis application on the Director of North Fork  
15 Correctional Facility, at 1605 East Main, Sayre, OK 73662.

16 4. The Clerk of the Court is directed to serve a copy of this order on the  
17 Financial Department, United States District Court, Eastern District of California,  
18 Sacramento Division.

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

23 IT IS SO ORDERED.

24  
25 Dated: May 20, 2014

26 /s/ Michael J. Seng  
27 UNITED STATES MAGISTRATE JUDGE  
28