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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
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9 JULIE SU, California State Labor
10 Commissioner, Division of Labor
11 Standards Enforcement, Department of
12 Industrial Relations, State of California, on
13 behalf of the People of the State of
14 California,

15 Plaintiff,

16 v.

17 DAVID HUME, et al.,

18 Defendants.

1:14-cv-1917---GSA

**ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS**

**ORDER DIRECTING PAYMENT OF
INMATE FILING FEE BY FCC, LOMPOC**

(Doc. 3)

19 Defendant David Hume ("Defendant"), proceeding pro se, seeks to remove this action
20 from Fresno County Superior Court to this Court. (Doc. 1). Defendant is a prisoner incarcerated
21 at the Federal Correctional Center, Lompoc, and has requested leave to proceed to proceed in
22 forma pauperis pursuant to 28 U.S.C. § 1915. (Doc. 3). He has made the showing required by §
23 1915(a). Accordingly, the request to proceed in forma pauperis is granted. Defendant remains
24 obligated to pay the statutory filing fee of \$350.00 applicable to this action. 28 U.S.C. §
25 1915(b)(1). He is required to make monthly payments in the amount of twenty percent (20%) of
26 the preceding month's income credited to his prison trust account. The Federal Correctional
27 Center, Lompoc, is required to send to the Clerk of the Court, monthly payments from
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1 Defendant's trust account when the amount in the account exceeds \$10.00, until the statutory
2 filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

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

- 5 1. Defendant's application to proceed in forma pauperis is GRANTED.
- 6 2. **The Warden of FCC, Lompoc or his designee shall collect payments from**
7 **plaintiff's prison trust account in an amount equal to twenty per cent (20%)**
8 **of the preceding month's income credited to the prisoner's trust account and**
9 **shall forward those payments to the Clerk of the Court each time the amount**
10 **in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until**
11 **a total of \$350.00 has been collected and forwarded to the Clerk of the Court.**
12 **The payments shall be clearly identified by the name and number assigned to**
13 **this action.**
- 14 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
15 Defendant's in forma pauperis application on the **Warden of FCC, Lompoc, via**
16 **the Court's electronic case filing system (CM/ECF).**
- 17 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
18 Department, U.S. District Court, Eastern District of California, Fresno Division.
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24 IT IS SO ORDERED.

25 Dated: January 16, 2015

26 /s/ Gary S. Austin
27 UNITED STATES MAGISTRATE JUDGE
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