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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 BRUCE BERNA,

9 Plaintiff

10 v.

11 DEPARTMENT OF JUSTICE BUREAU  
12 OF FIREARMS, et al.,

13 Defendants.

CASE No. 1:14-cv-01972---SAB

ORDER GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS

ORDER DIRECTING PAYMENT  
OF INMATE FILING FEE BY  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION

(ECF No. 2)

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15 Plaintiff is a prisoner proceeding pro se pursuant to 42 U.S.C. §1983 and has requested  
16 leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing  
17 required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted.  
18 Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. §  
19 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of  
20 the preceding month's income credited to plaintiff's trust account. The California Department of  
21 Corrections and Rehabilitation is required to send to the Clerk of the Court payments from  
22 plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing  
23 fee is paid in full. 28 U.S.C. § 1915(b)(2). Notwithstanding this order, the Court does not direct  
24 that service be undertaken until the Court screens the complaint in due course and issues its  
25 screening order.

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

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1. Plaintiff's application to proceed in forma pauperis 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 per cent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the 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 the Court. The payments shall be clearly identified by the name and number assigned to this action;**

3. The Clerk of the 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 the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division; and

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

IT IS SO ORDERED.

Dated: December 12, 2014

  
UNITED STATES MAGISTRATE JUDGE