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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

FERNIE GARZA,

Plaintiff,

v.

RAYTHEL FISHER, JR., Warden,

Defendant.

Case No. 1:15-cv-00234-AWI-SKO

**ORDER GRANTING PLAINTIFF'S  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS**

(Doc. Nos. 4, 5)

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Plaintiff Fernie Garza ("Plaintiff") is a prisoner 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 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. The Director of the California Department of Corrections or his designee 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 U.S.C. § 1915(b)(2).

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

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

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

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

14 4. The Clerk of the Court is directed to serve a copy of this order on the Financial  
15 Department, U.S. District Court, Eastern District of California, Fresno Division.

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18 IT IS SO ORDERED.

19 Dated: April 7, 2015

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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