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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JUAN CARLOS ALVAREZ,
Plaintiff,
v.
ALEX CHAVARRIA, et al.,
Defendants.

Case No.: 1:16-cv-00067---MJS
**ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS**
(ECF No. 7)
**ORDER DIRECTING PAYMENT OF
INMATE FILING FEE BY CALIFORNIA
DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 7) 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. The California Department of Corrections and Rehabilitation is required to send to the Clerk of the Court payments

1 from plaintiff's account each time the amount in the account exceeds \$10.00, until the
2 statutory 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
4 HEREBY ORDERED that:

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

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

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

18 4. The Clerk of the Court is directed to serve a copy of this order on the
19 Financial Department, U.S. District Court, Eastern District of California,
20 Sacramento Division.

21 IT IS SO ORDERED.

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23 Dated: December 13, 2016

24 /s/ Michael J. Seng
25 UNITED STATES MAGISTRATE JUDGE
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