

1 unable to afford it, by granting in forma pauperis status.” Andrews v. Cervantes, 493 F.3d 1047, 1051
2 (9th Cir. 2007). However, notwithstanding being granted leave to proceed in forma pauperis, “if a
3 prisoner brings a civil action . . . , the prisoner shall be required to pay the full amount of the filing fee”
4 through payments deducted from the prisoner’s prison trust account. 28 U.S.C. § 1915(b)(1). After
5 payment of an initial filing fee, if any, “the prisoner shall be required to make monthly payments of 20
6 percent of the preceding month’s income credited to the prisoner’s account. The agency having
7 custody of the prisoner shall forward payments from the prisoner’s account to the clerk of the court
8 each time the amount in the account exceeds \$10 until the filing fees are paid.” 28 U.S.C. §
9 1915(b)(2). The filing fee applies at the time the case is filed and the fact that the case is subsequently
10 dismissed does not relieve the Plaintiff from paying the filing fee in full by appropriate deductions
11 from his prisoner trust account. See, e.g., Vartanpour v. Neven, No. 2:15-cv-00951-JAD-CWH, 2016
12 WL 589669, at *1 (D. Nev. Feb. 10, 2016). Accordingly, Plaintiff’s motion to be relieved of the
13 obligation to pay the filing fee for this action is DENIED.

14
15 IT IS SO ORDERED.

16 Dated: May 9, 2017



UNITED STATES MAGISTRATE JUDGE