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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL JACQUES,
Plaintiff,
v.
J. LOPEZ, JR., et al.,
Defendants.

Case No. 1:16-cv-01289-DAD-SAB (PC)
ORDER RE NOTICE REGARDING PLRA
DEDUCTIONS
(ECF No. 53)

Plaintiff Michael Jacques, a state prisoner proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 31, 2016. On September 8, 2016, Plaintiff’s motion to proceed *in forma pauperis* was granted. Since Plaintiff was incarcerated when this matter was filed he must 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 proceeding month’s income credited to his trust account. The California Department of Corrections and Rehabilitation 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).

On May 28, 2020, Plaintiff filed a notice that the \$350.00 filing fee has been paid in full but he has continued to be charged for the filing fee. According to Plaintiff, his mother paid

1 \$320.00 by a bank cashier's check in May 2020 on his behalf. Plaintiff contends that this mother
2 overpaid the amount due and that he is continuing to have funds deducted from his account to
3 pay the filing fee.

4 The financial records show that there have been two payments made in this matter. A
5 \$10.00 payment was made on April 7, 2017, and a \$20.00 payment was made on March 16,
6 2020. As of this date, Plaintiff has paid \$30.00 toward the filing fee of \$320.00. Plaintiff
7 currently has a balance of \$320.00 on his account. Until such time as the account is paid in full,
8 deductions will continue to be made from Plaintiff's trust account.

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10 IT IS SO ORDERED.

11 Dated: May 29, 2020



UNITED STATES MAGISTRATE JUDGE

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