1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 1:17-cv-00094-DAD-MJS (PC) JAMES ALFRED CUNHA. 10 Plaintiff, ORDER GRANTING APPLICATION TO 11 ٧. PROCEED IN FORMA PAUPERIS 12 CALIFORNIA FORENSIC MEDICAL (ECF No. 2) GROUP, et al., 13 Defendants. ORDER DIRECTING PAYMENT 14 OF INMATE FILING FEE BY STANISLAUS COUNTY JAIL 15 16 Plaintiff is a county jail inmate proceeding pro se pursuant to 42 U.S.C. § 1983 17 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. 18 Plaintiff has made the showing required by § 1915(a) and accordingly, the request to 19 proceed in forma pauperis will be granted. Plaintiff is obligated to pay the statutory filing 20 fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make 21 monthly payments in the amount of twenty percent of the preceding month's income 22 credited to plaintiff's trust account. Stanislaus County Jail is required to send to the 23 Clerk of the Court payments from plaintiff's account each time the amount in the account 24 exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2). 25 In accordance with the above and good cause appearing therefore, IT IS 26 **HEREBY ORDERED that:** 27 1. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is 28

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GRANTED;

- 2. The Sheriff of Stanislaus County 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 Sheriff of Stanislaus County, via the United States Postal Service.
- 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.
- 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a certified copy of his inmate 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.

22 Dated: <u>February 8, 2017</u>

ISI Michael J. Seng UNITED STATES MAGISTRATE JUDGI

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