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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL HERRERA, *et al.*,

Plaintiffs,

v.

CALIFORNIA STATE SUPERIOR  
COURTS, *et al.*,

Defendants.

CASE NO. 1:17-cv-386-AWI-BAM

ORDER GRANTING PLAINTIFF DANIEL  
HERRERA'S IN FORMA PAUPERIS  
APPLICATION  
(Doc. 2).

ORDER DIRECTING PAYMENT OF DANIEL  
HERRERA'S INMATE FILING FEE

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Plaintiff Daniel Herrera ("Plaintiff"), a state prisoner proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983, on March 16, 2017. Currently before the Court is Plaintiff's motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. §1915. (Doc. 2).

Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff Herrera 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 (20%) of the preceding month's income credited to Plaintiff's trust account. The California Department of Corrections is required to send to the Clerk of the Court payments from Plaintiff's trust 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).

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff Daniel Herrera's application to proceed in forma pauperis, filed on March 16,

1 2017 (Doc. 2), is GRANTED;

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

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

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

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15 IT IS SO ORDERED.

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17 Dated: April 4, 2017

18 */s/ Barbara A. McAuliffe*  
19 UNITED STATES MAGISTRATE JUDGE  
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