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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FELIPE MENDEZ, JR.,
Plaintiff,
v.
UNITED STATES OF AMERICA, et al.,
Defendant.

Case No.: 1:17-cv-00555-LJO-MJS
ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS
and
ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY FCI PEKIN

Plaintiff is a currently incarcerated in the federal facility in Pekin, Illinois. He is proceeding pro se pursuant to Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff nevertheless is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). He must make monthly payments in the amount of twenty percent of the preceding month's income credited to his trust account. FCI Pekin 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).

1 In accordance with the above and good cause appearing therefore, IT IS
2 HEREBY ORDERED that:

- 3 1. Plaintiff's application to proceed in forma pauperis is GRANTED;
- 4 2. **The Warden of FCI Pekin or his designee shall collect payments from**
5 **plaintiff's prison trust account in an amount equal to twenty per cent**
6 **(20%) of the preceding month's income credited to the prisoner's trust**
7 **account and shall forward those payments to the Clerk of the Court each**
8 **time the amount in the account exceeds \$10.00, in accordance with 28**
9 **U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and**
10 **forwarded to the Clerk of the Court. The payments shall be clearly**
11 **identified by the name and number assigned to this action.**
- 12 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
13 plaintiff's in forma pauperis application on the Warden of FCI Pekin via United
14 States Postal Service at 2600 S. Second St., Pekin, IL 61554.
- 15 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
16 Department, U.S. District Court, Eastern District of California, Sacramento
17 Division.
- 18 5. Within thirty (60) days of the date of service of this order, plaintiff shall submit
19 a certified copy of his/her prison trust account statement for the six-month
20 period immediately preceding the filing of the complaint, if plaintiff has not
21 already done so.

22
23 IT IS SO ORDERED.

24 Dated: May 31, 2017

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