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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER LIPSEY, JR.,

Plaintiff

v.

BRISTOL-MYERS SQUIBB, CO., et al.,

Defendants.

Case No. 1:17-cv-00556-AWI-SAB

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION

(ECF No. 4)

Plaintiff is a prisoner proceeding pro se pursuant to 42 U.S.C. §1983. On April 20, 2017, Plaintiff filed a complaint and a prisoner trust fund account statement. (ECF Nos. 1, 2.) On April 21, 2017, the Court issued an order requiring Plaintiff to submit an application to proceed in forma pauperis or pay the filing fee. (ECF No. 3.) On May 1, 2017, Plaintiff filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 4.) Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff 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 of the preceding month's income credited to Plaintiff's 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).

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

3 1. Plaintiff's application to proceed in forma pauperis is GRANTED;

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

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

14 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
15 Department, U.S. District Court, Eastern District of California, Sacramento Division; and

16 5. Notwithstanding this order, the Court does not direct that service be undertaken
17 until the Court screens the complaint in due course and issues its screening order.

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20 IT IS SO ORDERED.

21 Dated: May 4, 2017


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23 UNITED STATES MAGISTRATE JUDGE
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