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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
7

8 MOSES FLORES,

9 Plaintiff,

10 v.

11 RED ROBIN,

12 Defendant.
13

CASE No. 1:17-cv-00595-DAD-SAB

ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY NEVADA
DEPARTMENT OF CORRECTIONS

(ECF No. 4)
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15 Plaintiff Moses Flores is a prisoner proceeding pro se pursuant to 42 U.S.C. §1983 and has
16 requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has made the
17 showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be
18 granted. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. §
19 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of
20 the preceding month's income credited to plaintiff's trust account. The Nevada Department of
21 Corrections is required to send to the Clerk of the Court payments from plaintiff's account each
22 time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28
23 U.S.C. § 1915(b)(2).

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

- 26 1. Plaintiff's application to proceed in forma pauperis is GRANTED;
27 2. **The Director of the Nevada Department of Corrections or his designee shall**
28 **collect payments from plaintiff's prison trust account in an amount equal to twenty per cent**

1 (20%) of the preceding month's income credited to the prisoner's trust account and shall
2 forward those payments to the Clerk of the Court each time the amount in the account
3 exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been
4 collected and forwarded to the Clerk of the Court. The payments shall be clearly identified
5 by the name and number assigned to this action;

6 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
7 plaintiff's in forma pauperis application on the Nevada Department of Corrections, Inmate
8 Banking, 5500 Snyder Avenue, Carson City, Nevada 89702, via the court's electronic case filing
9 system (CM/ECF);

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

12 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a
13 certified copy of his prison trust account statement for the six-month period immediately
14 preceding the filing of the complaint, if plaintiff has not already done so.

15 IT IS SO ORDERED.

16 Dated: August 22, 2017

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19 UNITED STATES MAGISTRATE JUDGE
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