

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARK A. VAUGHN,

Plaintiff,

v.

TERAN,

Defendant.

1:17-cv-00966-DAD-MJS

**ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS**

(ECF No. 7)

Plaintiff is a prisoner proceeding with counsel in a civil rights action pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 7.) Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. As Plaintiff is a prisoner, he 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 (CDCR) 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.

1 § 1915(b)(2).

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

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

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

13 3. The Clerk of the Court is directed to serve a copy of this order and a copy
14 of plaintiff's in forma pauperis application on the CDCR, via the court's electronic
15 case filing system (CM/ECF).

16 4. The Clerk of the Court is directed to serve a copy of this order on the
17 Financial Department, U.S. District Court, Eastern District of California,
18 Sacramento Division.

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

23 IT IS SO ORDERED.

24
25 Dated: August 22, 2017

26 /s/ Michael J. Seng
27 UNITED STATES MAGISTRATE JUDGE
28