

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

TONY R. LEWIS ,

Plaintiff,

vs.

**CALIFORNIA DEPARTMENT OF
CORRECTIONS & REHABILITATION,
ET AL. ,**

Defendant(s).

1:17-CV-01102-EPG (PC)

ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS
and

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

_____ /

Plaintiff is a federal prisoner proceeding pro se pursuant to 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 § 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 proceeding 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 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).

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

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

////

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FILED

AUG 16 2017

TONY LEWIS

Plaintiff

vs.

APPLICATION TO PROCEED
IN FORMA PAUPERIS
BY A PRISONER

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
PELICAN BAY STATE PRISON
UNIT A-6 DEPUTY CLERK

California Correctional Institution

Defendant(s)

CASE NUMBER: 1:17-cv-01102 EPB (PC)

I, TONY LEWIS, declare that I am the plaintiff in the above-entitled proceeding; that, in support of my request to proceed without prepayment of fees under 28 U.S.C. § 1915, I declare that I am unable to pay the fees for these proceedings or give security therefor and that I am entitled to the relief sought in the complaint.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated: Yes No (If "No" DO NOT USE THIS FORM)

If "Yes" state the place of your incarceration. Pelican Bay STATE PRISON

Have the institution fill out the Certificate portion of this application and attach a certified copy of your prison trust account statement showing transactions for the past six months.

RECEIVED

2. Are you currently employed? Yes No

AUG 16 2017

a. If the answer is "Yes" state the amount of your pay.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period, and the name and address of your last employer. NA

3. In the past twelve months have you received any money from any of the following sources?

- a. Business, profession or other self-employment Yes No
- b. Rent payments, interest or dividends Yes No
- c. Pensions, annuities or life insurance payments Yes No
- d. Disability or workers compensation payments Yes No
- e. Gifts or inheritances Yes No
- f. Any other sources Yes No

RECEIVED

JUL 27 2017
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

If the answer to any of the above is "Yes" describe by that item each source of money and state the amount received and what you expect you will continue to receive. Please attach an additional sheet if necessary.

\$ 50.00 Donation for personal hygiene

PELICAN BAY STATE PRISON
UNIT A-6

4. Do you have cash or checking or savings accounts? Yes No

If "Yes" state the total amount: _____

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? Yes No

If "Yes" describe the property and state its value. _____

6. Do you have any other assets? Yes No

If "Yes" list the asset(s) and state the value of each asset listed.

7. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

I hereby authorize the agency having custody of me to collect from my trust account and forward to the Clerk of the United States District Court payments in accordance with 28 U.S.C. § 1915(b)(2).

I declare under penalty of perjury that the above information is true and correct.

7-10-17
DATE

Tony R. Lewis
SIGNATURE OF APPLICANT

CERTIFICATE

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ _____ on account to his/her credit at _____ (name of institution). I further certify that during the past six months the applicant's average monthly balance was \$ _____. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ _____.

(Please attach a certified copy of the applicant's trust account statement showing transactions for the past six months.)

DATE

SIGNATURE OF AUTHORIZED OFFICER

Case Number: _____

CERTIFICATION OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of **Lewis, Tony T80900** the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$8.34 and the average balance in the prisoner's account each month for the most recent 6-month period was \$8.34 (20% = \$1.67)

Dated: 07/12/17

L. Field, SR AO

Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT COPY OF THE TRUST ACCOUNT MAINTAINED BY THIS OFFICE.

ATTEST: 7-12-17
CALIFORNIA DEPARTMENT OF CORRECTIONS

BY P. Root
TRUST OFFICE

Inmate Statement Report

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
T80900	LEWIS, TONY	PBSP	A 006 2	229001

Current Available Balance: \$22.51

Transaction List

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
01/01/2017	PBSP	BEGINNING BALANCE				\$0.00
06/03/2017	PBSP	JPAY	0000000072814366		[-\$50.00]	[-\$50.00]
06/03/2017	PBSP	RESTITUTION FINE PAYMENT			(\$4.52)	\$45.48
06/03/2017	PBSP	ADMINISTRATIVE FEE			(\$0.45)	\$45.03
06/03/2017	PBSP	RESTITUTION FINE PAYMENT			(\$20.48)	\$24.55
06/03/2017	PBSP	ADMINISTRATIVE FEE			(\$2.04)	\$22.51

Encumbrance List

Encumbrance Type	Transaction Date	Amount
No information was found for the given criteria.		

Obligation List

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
No information was found for the given criteria.				

Restitution List

Restitution	Court Case#	Status	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
RESTITUTION FINE	141406B	Fulfilled	\$500.00	\$0.00	(\$4.52)	\$0.00
RESTITUTION FINE	MF011722A	Active	\$300.00	\$0.00	(\$20.48)	\$279.52



THE WITHIN INSTRUMENT IS A CORRECT COPY OF THE TRUST ACCOUNT MAINTAINED BY THIS OFFICE.
 ATTEST: 7-12-17
 CALIFORNIA DEPARTMENT OF CORRECTIONS
 BY P. Root
 TRUST OFFICE

PROOF OF SERVICE BY MAIL

(C.C.P. Sec. 101a #2015-5, U.S.C. Sec. 1746)

I, LEWIS, Tony, am a resident of Pelican Bay State Prison, in the County of Del Norte, State of California. I am over the age of eighteen (18) years and am a party to this action.

My State Prison address is: Pelican Bay State Prison, P.O. Box 7500, Housing Unit ~~6-1009~~ Cell Number 229, Crescent City, CA 95532-7500.

On the 19th day of July, I served the following (set forth the exact title of document(s) served):

INFORM PRISONERS to the United States District Court Eastern District of California

On the party(s) herein by placing a true copy(s) thereof, enclosed in a sealed envelope(s), with postage thereon fully paid, in the United States mail, in a receptacle so provided at Pelican Bay State Prison, Crescent City, CA 95532, and addressed as follows:

Clerk of the U.S. District Court for the Eastern District of California
1130 "O" Street E. Fresno CA 93721

I declare under penalty of perjury that the foregoing is true and correct:

Tony R. Lewis 7-19-17
Signature Date