1 2 3 4 5 UNITED STATES DISTRICT COURT 6 7 EASTERN DISTRICT OF CALIFORNIA 8 9 1:17-cv-01071-SKO (PC) DAVID HERNANDEZ, ORDER GRANTING APPLICATION TO 10 Plaintiff, PROCEED IN FORMA PAUPERIS (Doc. 2) 11 v. and 12 J. CARRANZA, et al., ORDER DIRECTING PAYMENT 13 Defendants. OF INMATE FILING FEE BY STANISLAUS COUNTY SHERIFF'S DEPARTMENT 14 15 16 Plaintiff is a prisoner proceeding pro se pursuant to 42 U.S.C. § 1983 and has requested 17 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. 18 19 Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. 20 § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of 21 the preceding month's income credited to plaintiff's trust account. The Stanislaus County 22 Sheriff's Department 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 23 24 in full. 28 U.S.C. § 1915(b)(2). In accordance with the above and good cause appearing therefore, IT IS HEREBY 25 26 ORDERED that: 27 1. Plaintiff's application to proceed in forma pauperis is GRANTED; 2. The Sheriff for the County of Stanislaus or his designee shall collect payments 28 1

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

- 3. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's in forma pauperis application on the Sheriff for the County of Stanislaus.
- 4. The Clerk of the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division.
- 5. Within sixty (60) days of the date of service of this order, plaintiff shall submit a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of the complaint, if plaintiff has not already done so.

IT IS SO ORDERED.

Dated: **August 16, 2017**

UNITED STATES MAGISTRATE JUDGE