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

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11 AARON STRIBLING,
12 Plaintiff,
13 v.
14 E. WILSON, et al.,
15 Defendants.

Case No. 1:17-cv-01275-BAM (PC)

ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS

(ECF No. 2)

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

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18 Plaintiff Aaron Stribling (“Plaintiff”) is a state prisoner proceeding pro se in this civil
19 rights action pursuant to 42 U.S.C. § 1983. This action was transferred from the Central District
20 on September 25, 2017. (ECF No. 5.)

21 On September 18, 2017, Plaintiff filed the instant request to proceed in forma pauperis.
22 (ECF No. 2.) Plaintiff’s application included a copy of his trust account statement, but it was not
23 certified. In addition, the certificate portion of the form was not completed or signed by an
24 authorized officer of the institution.

25 On September 25, 2017, the Clerk of the Court directed the California Department of
26 Corrections and Rehabilitation to submit a certified prison trust account statement for Plaintiff
27 within 72 business hours. (ECF No. 7.) Plaintiff’s certified trust account statement was filed on
28 September 26, 2017. (ECF No. 8.)

1 Plaintiff has made the showing required by § 1915(a) and accordingly, the request to
2 proceed in forma pauperis will be granted. Plaintiff is obligated to pay the statutory filing fee of
3 \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments
4 in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's
5 trust account. The California Department of Corrections is required to send to the Clerk of the
6 Court payments from Plaintiff's trust account each time the amount in the account exceeds
7 \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is GRANTED;

10 2. **The Director of the California Department of Corrections or his/her designee
11 shall collect payments from Plaintiff's prison trust account in an amount equal to
12 twenty per cent (20%) of the preceding month's income credited to the prisoner's
13 trust account and shall forward those payments to the Clerk of the Court each time
14 the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2),
15 until a total of \$350.00 has been collected and forwarded to the Clerk of the Court.**

16 **The payments shall be clearly identified by the name and number assigned to this
17 action;**

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

21 4. The Clerk of the Court is directed to serve a copy of this order on the Financial
22 Department, U.S. District Court, Eastern District of California.

23 IT IS SO ORDERED.
24

25 Dated: September 27, 2017

26 _____
27 */s/ Barbara A. McAuliffe*
28 UNITED STATES MAGISTRATE JUDGE