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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY COLEMAN,
Plaintiff,
v.
SCOTT FRAUENHEIM, et al.,
Defendants.

Case No. 1:17-cv-01276-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

Plaintiff Anthony Coleman (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 25, 2017, Plaintiff filed the instant motion to proceed in forma pauperis. (ECF No. 2.) Plaintiff’s application did not include a certified copy of his trust account statement, as required. On September 26, 2017, the Clerk of the Court directed the California Department of Corrections and Rehabilitation to submit a certified prison trust account statement for Plaintiff within 72 business hours. (ECF No. 3.) Plaintiff’s certified trust account statement was filed on September 26, 2017. (ECF No. 6.)

Plaintiff has made the showing required by § 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

1 in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's
2 trust account. The California Department of Corrections is required to send to the Clerk of the
3 Court payments from Plaintiff's trust account each time the amount in the account exceeds
4 \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

5 Accordingly, IT IS HEREBY ORDERED that:

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

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

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

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

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21 IT IS SO ORDERED.

22 Dated: September 27, 2017

23 /s/ Barbara A. McAuliffe
24 UNITED STATES MAGISTRATE JUDGE
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