1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 RAUL GARZA, Case No. 1:17-cv-01390-LJO-BAM 12 ORDER GRANTING MOTION TO Plaintiff. PROCEED IN FORMA PAUPERIS 13 v. (Doc. 2) 14 NATIONAL FOOTBALL LEAGUE, players and staff, and LEBRON JAMES, ORDER DIRECTING PAYMENT OF 15 INMATE FILING FEE BY CALIFORNIA Defendants. DEPARTMENT OF CORRECTIONS 16 17 Plaintiff Raul Garza ("Plaintiff") is a state prisoner appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on October 16, 2017. (ECF 18 No. 1.) Currently before the Court is Plaintiff's motion to proceed in forma pauperis pursuant to 19 20 28 U.S.C. § 1915. (ECF No. 2.) 21 Plaintiff has made the showing required by § 1915(a) and accordingly, the request to 22 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 23 in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's 24 trust account. The California Department of Corrections is required to send to the Clerk of the 25 26 Court payments from Plaintiff's trust account each time the amount in the account exceeds 27 \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2). 28 Accordingly, IT IS HEREBY ORDERED that: 1

| 1 | 1. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is GRANTED; |
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| 2 | 2. The Director of the California Department of Corrections or his or her |
| 3 | designee shall collect payments from Plaintiff's prison trust account in an amount equal to |
| 4 | twenty per cent (20%) of the preceding month's income credited to the prisoner's trust |
| 5 | account and shall forward those payments to the Clerk of the Court each time the amount |
| 6 | in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of |
| 7 | \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be |
| 8 | clearly identified by the name and number assigned to this action; |
| 9 | 3. The Clerk of the Court is directed to serve a copy of this order and a copy of |
| 10 | Plaintiff's in forma pauperis application on the Director of the California Department of |
| 11 | Corrections, via the court's electronic case filing system (CM/ECF); and |
| 12 | 4. The Clerk of the Court is directed to serve a copy of this order on the Financial |
| 13 | Department, U.S. District Court, Eastern District of California. |
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| 15 | IT IS SO ORDERED. |
| 16 | Dated: October 23, 2017 /s/ Barbara A. McAuliffe |
| 17 | UNITED STATES MAGISTRATE JUDGE |
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