

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,  
Plaintiff,  
v.  
S. SAVIOE,  
Defendant.

Case No.: 1:17-cv-01474-DAD-BAM (PC)

**ORDER GRANTING MOTION TO  
PROCEED IN FORMA PAUPERIS**

(ECF No. 6)

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

Plaintiff Guillermo Trujillo Cruz (“Plaintiff”) is a state prisoner proceeding pro se in this civil action pursuant to 42 U.S.C. § 1983. On November 13, 2017, Plaintiff filed the instant motion to proceed in forma pursuant to 28 U.S.C. § 1915, with a copy of his trust account statement attached. (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 in the amount of twenty percent (20%) of the preceding 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 trust 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).

1 Accordingly, IT IS HEREBY ORDERED that:

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

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

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

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

16 IT IS SO ORDERED.

17 Dated: November 20, 2017

18 /s/ *Barbara A. McAuliffe*  
19 UNITED STATES MAGISTRATE JUDGE

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