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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 MYCHAL ANDRA REED,

11 Plaintiff,

12 vs.

13 P. VERA, *et al.*,

14 Defendants.
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Case No. 1:18-cv-00334-DAD-JDP

ORDER VACATING ORDER DIRECTING
PAYMENT TO BE COLLECTED FROM
PLAINTIFF'S PRISON TRUST ACCOUNT

(Doc. No. 6)

16 Mychal Andra Reed ("plaintiff") voluntarily dismissed this civil rights action on March
17 22, 2018 because it was duplicative of another case in this district, 1:18-cv-297-EPG. (Doc.
18 Nos. 10, 11.) The court entered an order in both cases granting plaintiff *in forma pauperis*
19 status and directing the California Department of Corrections and Rehabilitation ("CDCR") to
20 "collect payments from plaintiff's prison trust account in an amount equal to twenty percent
21 (20%) of the preceding month's income credited to the prisoner's trust account" and to
22 "forward those payments to the Clerk of the Court each time the amount in the account exceeds
23 \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected
24 and forwarded to the Clerk of the Court." (Doc. No. 6, at 2.)
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1 Plaintiff has now filed a notice indicating that he is being charged an erroneous
2 duplicative filing fee for this case. (Doc. No. 13.) Plaintiff states that the duplicative cases
3 were inadvertently filed twice due to an error by prison staff. (*Id.*)

4 Based on the foregoing, the court finds cause to vacate its March 9, 2018 order directing
5 the CDCR to deduct funds from plaintiff's prison trust account for payment of the filing fee for
6 this case.

7 Accordingly, THE COURT HEREBY ORDERS that:

- 8 1. The court's order of March 9, 2018 (Doc. No. 6) directing the CDCR to deduct
9 funds from plaintiff's prison trust account for payment of the filing fee for this case
10 is vacated;
- 11 2. the Clerk of the Court is directed to serve a copy of this order on the Director of the
12 California Department of Corrections via the court's electronic case filing system
13 (CM/ECF); and
- 14 3. the Clerk of 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.
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18 Dated: May 25, 2018

/s/ Jeremy D. Peterson
19 UNITED STATES MAGISTRATE JUDGE
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