

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHNNY MCGEE,

No. 1:21-cv-00837-HBK (PC)

Plaintiff,

ORDER GRANTING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*

V.

(Doc. No. 2)

GALAGER, *et al.*,

Defendants.

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY THE
WASCO STATE PRISON WARDEN

Plaintiff Johnny McGee, a prisoner, initiated this action on May 24, 2021 by filing a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. (Doc. No. 1, Complaint). Plaintiff seeks leave to proceed *in forma pauperis* on his Complaint and submitted a copy of his prison trust fund statement in support. (Doc. Nos. 2, 7). Plaintiff has made the requisite showing to proceed *in forma pauperis* under § 1915(a) but remains obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is compelled to make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account. 28 U.S.C. § 1915(b)(2). The Wasco State Prison Warden or his designee are required to

send to the Clerk of the Court payments from Plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. *Id.*

According, it is **ORDERED**:

1. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.
2. Pursuant to 28 U.S.C. § 1915 (b)(1) the Wasco State Prison Warden or his designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00 until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by Plaintiff's name and the case number assigned to this action.
3. The Clerk of the Court is directed to serve a copy of this Order and a copy of Plaintiff's *in forma pauperis* application (Doc. No. 2) on the Wasco State Prison located at 701 Scofield Avenue, Wasco, CA 93280.
4. The Clerk of the Court is directed to serve a copy of this Order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division.

IT IS SO ORDERED.

Dated: June 7, 2021

Helena M. Barch-Kuchta
HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE