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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARTIN MCLAUGHLIN,

Plaintiff,

v.

T. FELKER, M.D. McDONALD, S.
ARMOSKUS, R.K. WONG, R.
JOHNSON, C. ADAMS, C.F.
BOLLS, K. STAFFORD, G.
MARSHALL, PERRY, STATTI, R.
MARQUEZ, MINNICK, R. KEMP,
D. DANGLER, and C.J. SPIRK,

Defendants.

NO. CV-08-831-RHW

**ORDER FOR PAYMENT OF
INMATE FILING FEE**

To: The Director of the California Department of Corrections and
Rehabilitation, 1515 S Street, Sacramento, California 95814:

Plaintiff, a state prisoner proceeding pro se and *in forma pauperis*, is
obligated to pay the statutory filing fee of \$350.00 for this action. Plaintiff has been
assessed an initial partial filing fee of 20 percent of the greater of (A) the average
monthly deposits to the inmate's account; or (B) the average monthly balance in the
inmate's account for the six-month period immediately preceding the filing of his
complaint.

Upon payment of that initial partial filing fee, Plaintiff will be obligated to
make monthly payments in the amount of twenty percent of the preceding month's
income credited to plaintiff's trust account. The California Department of
Corrections and Rehabilitation is required to send to the Clerk of the Court the

ORDER FOR PAYMENT OF INMATE FILING FEE ~ 1

1 initial partial filing fee and thereafter payments from plaintiff's prison trust account
2 each time the amount in the account exceeds \$10.00, until the statutory filing fee of
3 \$350.00 is paid in full. 28 U.S.C. § 1915(b)(2).

4 Good cause appearing therefore, **IT IS HEREBY ORDERED** that:

5 1. The Director of the California Department of Corrections and
6 Rehabilitation or a designee shall collect from plaintiff's prison trust account an
7 initial partial filing fee in the amount of 20 percent of the greater of (A) the average
8 monthly deposits to the inmate's account; or (B) the average monthly balance in the
9 inmate's account for the six-month period immediately preceding the filing of his
10 complaint and shall forward the amount to the Clerk of the Court. Said payment
11 shall be clearly identified by the name and number assigned to this action.

12 2. Thereafter, the Director of the California Department of Corrections and
13 Rehabilitation or a designee shall collect from plaintiff's prison trust account the
14 balance of the filing fee by collecting monthly payments from plaintiff's prison trust
15 account by collecting monthly payments from plaintiff's prison trust account in an
16 amount equal to twenty percent (20%) of the preceding month's income credited to
17 the prisoner's trust account and forwarding payments to the Clerk of the Court each
18 time the amount in the account exceeds \$10.00 in accordance with 28 U.S.C. §
19 1915(b)(2). The payments shall be clearly identified by the name and number
20 assigned to this action.

21 3. The Clerk of the Court is directed to serve a copy of this order and a copy
22 of plaintiff's signed *in forma pauperis* affidavit on Director, California Department
23 of Corrections and Rehabilitation, 1515 S Street, Sacramento, California 95814.

24 4. The Clerk of the Court is directed to serve a copy of this order on the
25 Financial Department of the court.

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27 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
28 Order and forward a copy to Plaintiff.

