UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNATHAN CARDENAS, Plaintiff,	)	Case No. 2:08-cv-01587-PMP-GWF
vs.	)	**ORDER**
SOLANO COUNTY, *et al.*, Defendants.	)	

Plaintiff is a state prisoner without counsel seeking relief for alleged civil rights violations. *See* 42 U.S.C. § 1983. He seeks leave to proceed *in forma pauperis* (#6). This proceeding was referred to this Court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff's declaration makes the showing required by 28 U.S.C. § 1915(a)(1) and (2).

Pursuant to 28 U.S.C. § 1915(b)(1), Plaintiff must pay the $350 filing fee. *See* 28 U.S.C. § 1914(a). An initial partial payment is assessed pursuant to Section 1915(b)(1). After viewing Plaintiff's financial affidavit, Plaintiff's current account balance is $26.11. Plaintiff's average six month balance is $33.53. Plaintiff's average monthly deposits are $120.33. Plaintiff has been assessed an initial partial filing fee of **$24.06** for this action pursuant to 28 U.S.C. § 1915(b)(1). Upon payment of that initial partial filing fee, Plaintiff will be obligated to make monthly payments of twenty percent (20%) of the preceding month's income credited to his trust account. 28 U.S.C. § 1915(b)(2). The agency having custody of Plaintiff shall forward payments from Plaintiff's account to the Clerk of the Court each time the amount in the account exceeds $10 until the filing fee is paid. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's request to proceed *in forma pauperis* (#6) is granted.

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IT IS FURTHER ORDERED that all payments shall be collected in accordance with the notice to the Director of the California Department of Corrections and Rehabilitation filed concurrently herewith.

DATED this 10th day of February, 2009.

GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE