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3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF CALIFORNIA
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7 **James McNeil,**

08-CV-02234-SRT

8 Plaintiff,

**ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS
and**

9 v.

10 **James Walker, et al.,**

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

11 Defendants.
12 _____

13 Plaintiff is a prisoner proceeding pro se pursuant to 42 U.S.C. § 1983 and has requested leave
14 to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required
15 by § 1915(a) and accordingly, the request to proceed in forma pauperis will be granted. Plaintiff is
16 obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff
17 is obligated to make monthly payments in the amount of twenty percent of the preceding month's
18 income credited to plaintiff's trust account. The California Department of Corrections is required to
19 send to the Clerk of the Court payments from plaintiff's account each time the amount in the account
20 exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

21 In accordance with the above and good cause appearing therefore, IT IS HEREBY
22 ORDERED that:

- 23 1. Plaintiff's application to proceed in forma pauperis is GRANTED;
24 2. The Director of the California Department of Corrections or his designee shall
25 collect payments from plaintiff's prison trust account in an amount equal to twenty per cent (20%) of
26 the preceding month's income credited to the prisoner's trust account and shall forward those
27 payments to the Clerk of the Court each time the amount in the account exceeds \$10.00, in
28 accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to

1 the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to
2 this action.

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

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

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9 Dated: April 3, 2009

10 /s/Sidney R. Thomas
11 Sidney R. Thomas, United States Circuit Judge
12 Sitting by Designation
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