

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EUGENE JONES, III,

Plaintiff,

v.

J. WALKER; (WARDEN), et al., J. LEBECK, CORRECTIONAL OFFICER, K. SPITZER; CORRECTIONAL OFFICER KL.WOOTEN; CORRECTIONAL OFFICER; CADET RAMOS,

Defendants.

NO. CV-08-2534-RHW

**ORDER GRANTING
APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENT**

After review of Plaintiff's application to proceed *in forma pauperis*, **IT IS ORDERED:**

(1) Plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Accordingly, Plaintiff's application to proceed in forma pauperis is **GRANTED**.

(2) Plaintiff is required to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1914(a), 1915(b)(1). 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. 28 U.S.C. § 1915(b)(1). By separate order, the court will direct the appropriate agency to collect the initial

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partial filing fee from Plaintiff's trust account and forward it to the Clerk of the Court. Thereafter, Plaintiff will be obligated for monthly payments of twenty percent of the preceding month's income credited to Plaintiff's prison trust account. These payments will be forwarded by the appropriate agency to the Clerk of the Court each time the amount in Plaintiff's account exceeds \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2). Each payment should be accompanied by Plaintiff's name and the cause number for this action.

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

DATED this 28th day of April, 2010.

s/Robert H. Whaley
ROBERT H. WHALEY
United States District Judge

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