

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

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

10 **DATED** this 28th day of April, 2010.

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

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