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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

MICHAEL AARON JAYNE,  
Plaintiff,  
vs.  
TOM BOSENKO, et al.,  
Defendants.

) Case No. 2:08-cv-02767-MSB

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

Plaintiff Michael Aaron Jayne is a prisoner proceeding pro se pursuant to 42 U.S.C. § 1983 and has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Pursuant to 28 U.S.C. § 1915(b)(1), Jayne is obligated to pay the statutory filing fee of \$350.00 for this action. An initial partial filing fee will not be assessed (due to the negative balance in Jayne’s account). Jayne is required to make monthly payments in the amount of twenty percent of the preceding month’s income credited to his trust account. 28 U.S.C. § 1915(b)(2). The California Department of Corrections is obligated to send to the Clerk of the Court payments from Jayne’s account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. *Id.*

**Accordingly,**

**IT IS HEREBY ORDERED** directing the Director of the California Department of Corrections or his designee shall collect payments from Plaintiff’s prison trust account in an amount equal to twenty per cent (20%) of the preceding month’s income credited to Plaintiff’s trust account

1 and shall forward those payments to the Clerk of the Court each time the amount in the account  
2 exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been  
3 collected and forwarded to the Clerk of the Court. The payments must be clearly identified by the  
4 name and number assigned to this action.

5 **IT IS FURTHER ORDERED** directing the Clerk of the Court to serve a copy of this order  
6 and a copy of Plaintiff's *in forma pauperis* application on the Director of the California Department  
7 of Corrections, via the court's electronic case filing system (CM/ECF).

8 **IT IS FURTHER ORDERED** directing the Clerk of the Court to serve a copy of this order  
9 on the financial department of the court.

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11 DATED this 20th day of November, 2009.

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13 /s/ Marsha S. Berzon  
14 MARSHA S. BERZON  
15 United States Circuit Judge, sitting by designation  
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