

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

## BILLY PAUL BIRDWELL, II,

Plaintiff, No. CIV S-10-0719 GGH P

VS.

M. CATES, et al.,

Defendants. ORDER FOR PAYMENT

OF INMATE FILING FEE

16 To: The Director of the California Department of Corrections and Rehabilitation, 1515 S Street,  
17 Sacramento, California 95814:

18 Plaintiff, a state prisoner proceeding pro se and in forma pauperis, is obligated to  
19 pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is  
20 obligated to make monthly payments in the amount of twenty percent of the preceding month's  
21 income credited to plaintiff's trust account. The California Department of Corrections and  
22 Rehabilitation is required to send to the Clerk of the Court payments from plaintiff's account  
23 each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full.  
24 28 U.S.C. § 1915(b)(2).

1. The Director of the California Department of Corrections and Rehabilitation or a designee shall collect monthly payments from plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28 U.S.C. § 1915(b)(2) until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action.

2. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's in forma pauperis affidavit on Director, California Department of Corrections and Rehabilitation, 1515 S Street, Sacramento, California 95814.

3. The Clerk of the Court is directed to serve a copy of this order on the Financial Department of the court.

DATED: April 30, 2010

/s/ Gregory G. Hollows

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UNITED STATES MAGISTRATE JUDGE

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