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

MARK SWAGERTY,

Plaintiff,
vs.

No. CIV S-10-2157 GGH P

STATE OF CALIFORNIA, et al.,

Defendants.

ORDER FOR PAYMENT
OF INMATE FILING FEE

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

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, is obligated to pay the statutory filing fee of \$350.00 for this action. Plaintiff will not be assessed an initial partial filing fee. Plaintiff will be obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to plaintiff's trust account. The California Department of Corrections and Rehabilitation is required to send to the Clerk of the Court the initial partial filing fee and thereafter payments from plaintiff's prison trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C. § 1915(b)(2).

Good cause appearing therefore, IT IS HEREBY ORDERED that:

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1. There will be no initial filing fee.

2. The Director of the California Department of Corrections and Rehabilitation or a designee shall collect from plaintiff's prison trust account the \$350.00 balance of the filing fee by collecting 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 forwarding 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). The payments shall be clearly identified by the name and number assigned to this action.

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

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

DATED: October 8, 2010

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

GGH: AB
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