

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

MARLIN PENN,

Plaintiff,

No. CIV-S-10-2256 KJM P

vs.

WARDEN McDONALD, 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 has been assessed an initial partial filing fee of \$5.32 for this action pursuant to 28 U.S.C. § 1915(b)(1). Upon payment of that 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).

1 Good cause appearing therefore, IT IS HEREBY ORDERED that:

2 1. The Director of the California Department of Corrections and Rehabilitation or
3 a designee shall collect from plaintiff's prison trust account an initial partial filing fee in the
4 amount of \$5.32 and shall forward the amount to the Clerk of the Court. Said payment shall be
5 clearly identified by the name and number assigned to this action.

6 2. Thereafter, the Director of the California Department of Corrections and
7 Rehabilitation or a designee shall collect from plaintiff's prison trust account the \$344.68
8 balance of the filing fee by collecting monthly payments from plaintiff's prison trust account in
9 an amount equal to twenty percent (20%) of the preceding month's income credited to the
10 prisoner's trust account and forwarding payments to the Clerk of the Court each time the amount
11 in the account exceeds \$10.00 in accordance with 28 U.S.C. § 1915(b)(2). The payments shall
12 be clearly identified by the name and number assigned to this action.

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

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

18 DATED: October 12, 2010.

19
20 
21 U.S. MAGISTRATE JUDGE

22
23
24
25
26
2 penn2256.1