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

LEE JAMES BAILEY

Plaintiff,

No. 2:10-cv-02295 JAM KJN P

vs.

FAIRFIELD POLICE DEPARTMENT,
et al.,

Defendants.

ORDER and ORDER FOR PAYMENT
OF INMATE FILING FEE

_____/

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

Plaintiff is a state prisoner proceeding without counsel and in forma pauperis in this civil rights action. On January 19, 2011, this court granted plaintiff’s application to proceed in forma pauperis and directed plaintiff’s place of incarceration – at the time, the Solano County Jail – to collect from plaintiff’s trust account an initial partial filing fee and monthly payments until such time as the fee (\$350.00) was paid in full. (See Dkt. No. 8.) On October 28, 2011, the Solano County Sheriff’s Office informed this court that plaintiff was transferred on October 24, 2011[1], to an unidentified prison within the California Department of Corrections and Rehabilitation (“CDCR”) and, therefore, that Solano County Jail could no longer “garnish the income credited to [plaintiff’s] account.” (Dkt. No. 28.) The balance owed on plaintiff’s filing

1 fee was not indicated. The court's review of CDCR's "inmate locator" website indicates that
2 plaintiff is now incarcerated at CDCR's Deuel Vocational Institution, in Tracy, California.

3 This order, in part, directs CDCR to continue payments on plaintiff's filing fee.
4 Plaintiff is obligated to pay the full statutory filing fee of \$350.00 for this action. CDCR is
5 directed to ascertain the balance remaining on plaintiff's filing fee, and to commence sending to
6 the Clerk of this court payments from plaintiff's prison trust account each time the amount
7 therein exceeds \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C.
8 § 1915(b)(2).

9 Good cause appearing, IT IS HEREBY ORDERED that:

10 1. The Director of the California Department of Corrections and Rehabilitation or
11 a designee shall collect from plaintiff's prison trust account monthly payments from plaintiff's
12 prison trust account in an amount equal to twenty percent (20%) of the preceding month's income
13 credited to the prisoner's trust account, and forward payments to the Clerk of the Court each time
14 the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until the
15 \$350.00 filing fee for this action has been paid in full. The payments shall be clearly identified
16 by the name and number assigned to this action.

17 2. The Clerk of Court is directed to serve a copy of this order and a copy of
18 plaintiff's signed in forma pauperis affidavit (Dkt. No. 2) on the Director, California Department
19 of Corrections and Rehabilitation, 1515 S Street, Sacramento, California 95814.

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

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