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

JOHNNY L. FRANKLIN, JR.

Plaintiff,
vs.

No. CIV S-10-3277 MCE GGH P

JAMES WEDELL,

Defendant.

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).

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

2 1. There will be no initial filing fee.

3 2. The Director of the California Department of Corrections and Rehabilitation or
4 a designee shall collect from plaintiff's prison trust account the \$350.00 balance of the filing fee
5 by collecting monthly payments from plaintiff's prison trust account in an amount equal to twenty
6 percent (20%) of the preceding month's income credited to the prisoner's trust account and
7 forwarding payments to the Clerk of the Court each time the amount in the account exceeds
8 \$10.00 in accordance with 28 U.S.C. § 1915(b)(2). The payments shall be clearly identified by
9 the name and number assigned to this action.

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

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

15 DATED: February 10, 2011

16 /s/ Gregory G. Hollows

17 UNITED STATES MAGISTRATE JUDGE

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