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

BART LYONS,

Plaintiff,

No. 2:11-cv-0268 GEB KJN P

vs.

FOLSOM MERCY HOSPITAL, et al.,

Defendant.

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 February 14, 2011, this court granted plaintiff’s application to proceed in forma pauperis and directed plaintiff’s place of incarceration—at the time, the Yolo 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. 9.) On August 9, 2011, the Yolo County Sheriff’s Office informed this court that plaintiff was transferred on August 4, 2011, to Deuel Vocational Institution, in the custody of the California Department of Corrections and Rehabilitation, and that the balance currently owed is \$319.80. (See Dkt. No. 13.) This order directs /CDCR to continue collecting payments on plaintiff’s filing fee.

1 As previously noted by the court, plaintiff is obligated to pay the full statutory
2 filing fee of \$350.00 for this action. After payment of an initial partial filing fee, plaintiff is
3 obligated to make monthly payments in the amount of twenty percent of the preceding month's
4 income credited to plaintiff's trust account. The initial partial filing fee has been paid. The
5 California Department of Corrections and Rehabilitation is now required to send to the Clerk of
6 the Court payments from plaintiff's prison trust account each time the amount in the account
7 exceeds \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C. § 1915(b)(2).

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

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

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

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

21 4. The Clerk of Court is directed to update plaintiff's address to Bart L. Lyons
22 (CDCR # P35055), Deuel Vocational Institution, P.O. Box 600, Tracy, CA 95378-0600.

23 DATED: August 22, 2011

24 
25 KENDALL J. NEWMAN
26 UNITED STATES MAGISTRATE JUDGE