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

SAMMY R. QUAIR, SR.

Plaintiff,

No. CIV S-11-2293 CKD P

vs.

GERTZ, Sheriff,

Defendant.

ORDER FOR PAYMENT

OF INMATE FILING FEE

_____ /
To: The Sheriff of Butte County, Attention: Inmate Trust Account, 33 County Center Drive,
Oroville, CA 95965

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. 28 U.S.C. § 1915(b)(1). Plaintiff is assessed an initial partial filing fee of 20 percent of the greater of (a) the average monthly deposits to plaintiff's trust account; or (b) the average monthly balance in plaintiff's account for the 6-month period immediately preceding the filing of this action. 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 Sheriff of Butte County 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 Sheriff of Butte County or a designee shall collect from plaintiff's inmate
3 trust account an initial partial filing fee in accordance with the provisions of 28 U.S.C. §
4 1915(b)(1) as set forth in this order and shall forward the amount to the Clerk of the Court. The
5 payment shall be clearly identified by the name and number assigned to this action.

6 2. Thereafter, the Sheriff of Butte County or a designee shall collect from
7 plaintiff's inmate trust account monthly payments in an amount equal to twenty percent (20%) of
8 the preceding month's income credited to the inmate's trust account and forward payments to the
9 Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28
10 U.S.C. § 1915(b)(2), until the \$350.00 filing fee for this action has been paid in full. The
11 payments shall be clearly identified by the name and number assigned to this action.

12 3. The Clerk of the Court is directed to serve a copy of this order and a copy of
13 plaintiff's signed in forma pauperis affidavit on the Sheriff of Butte County, Attention: Inmate
14 Trust Account, 33 County Center Drive, Oroville, CA 95965.

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

17 Dated: October 28, 2011

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19 CAROLYN K. DELANEY
20 UNITED STATES MAGISTRATE JUDGE

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quai2293.CDC.Butte