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

RUDOLFO ORTEGA, JR.,

Plaintiff,

No. 2:11-cv-3391 KJN P

vs.

ARAMARK, et al.,

ORDER<sup>1</sup> and ORDER FOR PAYMENT

Defendants.

OF INMATE FILING FEE

\_\_\_\_\_ /

To: The Sheriff of Solano County, Attention: Inmate Trust Account, 500 Union Avenue,  
Fairfield, California, 94533:

Plaintiff, a state prisoner proceeding without counsel and in forma pauperis, is obligated to pay the statutory filing fee of \$350.00 for this action. 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 Solano

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<sup>1</sup> The Clerk of Court is directed to the last paragraph of this order.

1 County Sheriff is required to send to the Clerk of the Court the initial partial filing fee and  
2 thereafter payments from plaintiff's trust account each time the amount in the account exceeds  
3 \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C. § 1915(b)(2).

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

5 1. The Sheriff of Solano County or a designee shall collect from plaintiff's trust  
6 account an initial partial filing fee in accordance with the provisions of 28 U.S.C. § 1915(b)(1) as  
7 set forth in this order and shall forward the amount to the Clerk of the Court. The payment shall  
8 be clearly identified by the name and number assigned to this action.

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

16 3. The Clerk of the Court is directed to serve a copy of this order and a copy of  
17 plaintiff's signed in forma pauperis affidavit on the Sheriff of Solano County, Attention: Inmate  
18 Trust Account, 500 Union Avenue, Fairfield, California, 94533:

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

21 5. The Clerk of Court is further directed to vacate the order filed March 30, 2012  
22 (Dkt. No. 6), which was erroneously directed to the California Department of Corrections and  
23 Rehabilitation, rather than the Solano County Jail, and to serve a copy of this order on the

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1 Director, California Department of Corrections and Rehabilitation, 1515 S Street, Sacramento,  
2 California 95814.

3 DATED: April 5, 2012

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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