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

10 JOHN McCLINTOCK,

11 Plaintiff,

No. 2:13-cv-0264 JFM (PC)

12 vs.

13 C/O COLOSIMO, et al.,

14 Defendants.

ORDER FOR PAYMENT

15 \_\_\_\_\_ / OF INMATE FILING FEE

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

18 Plaintiff, a state prisoner proceeding in forma pauperis, is obligated to pay the  
19 statutory filing fee of \$350.00 for this action. Plaintiff is assessed an initial partial filing fee of  
20 20 percent of the greater of (a) the average monthly deposits to plaintiff's trust account; or (b) the  
21 average monthly balance in plaintiff's account for the 6-month period immediately preceding the  
22 filing of this action. 28 U.S.C. § 1915(b)(1). Upon payment of that initial partial filing fee,  
23 plaintiff will be obligated to make monthly payments in the amount of twenty percent of the  
24 preceding month's income credited to plaintiff's trust account. The California Department of  
25 Corrections and Rehabilitation is required to send to the Clerk of the Court the initial partial  
26 filing fee and thereafter payments from plaintiff's prison trust account each time the amount in

1 the account exceeds \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C.  
2 § 1915(b)(2).

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

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

9 2. Thereafter, the Director of the California Department of Corrections and  
10 Rehabilitation or a designee shall collect from plaintiff's prison trust account monthly payments  
11 from plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding  
12 month's income credited to the prisoner's trust account and forward payments to the Clerk of the  
13 Court each time the amount in the account exceeds \$10.00 in accordance with 28 U.S.C.  
14 § 1915(b)(2), until the \$350.00 filing fee for this action has been paid in full. The payments shall  
15 be clearly identified by the name and number assigned to 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 Director, California Department of Corrections  
18 and Rehabilitation, 1515 S Street, Sacramento, California 95814.

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 DATED: April 22, 2013.

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25 DALE A. DROZD  
26 UNITED STATES MAGISTRATE JUDGE

25 12/mp  
26 mccl0264.cdc