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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FLOYD JOSEPH ESPEY,
Plaintiff,
v.
DEUEL VOCATIONAL INSTITUTION,
et al.,
Defendants.

No. 2: 13-cv-2147 TLN KJN P

ORDER

Plaintiff is a state prisoner proceeding with a civil rights action pursuant to 42 U.S.C. § 1983. On April 7, 2017, this action settled. On May 12, 2017, this action was voluntarily dismissed by stipulation. (ECF No. 130.)

On October 15, 2018, plaintiff filed a motion to vacate the twenty percent charge to his inmate trust account for the filing fee in this action. Plaintiff alleges that the deductions to his trust account for restitution and filing fees leave very little money in his trust account.¹

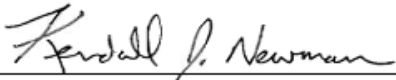
Pursuant to 28 U.S.C. § 1915(b)(1), plaintiff is obligated to pay the filing fee. After plaintiff's payment of the initial partial filing fee, plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding's month's income credited to plaintiff's trust

¹ Plaintiff does not claim that the money deducted from his trust account for the filing fee in this action is improperly deducted.

1 account. (ECF No. 19 at 1.) The court is not authorized to excuse plaintiff from his obligation to
2 pay the filing fee.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to vacate the monthly
4 twenty percent deduction for payment of the filing fee (ECF No. 132) is denied.

5 Dated: November 15, 2018

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7 _____
8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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