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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 WINSTON KEMPER,

12 Plaintiff,

13 v.

14 DR. PIE, et al.,

15 Defendants.
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No. 2:14-cv-0305 KJN P

ORDER

17 Plaintiff is a state prisoner proceeding without counsel. Plaintiff consented to proceed
18 before the undersigned for all purposes. See 28 U.S.C. § 636(c). After the instant action was
19 transferred to this court from the Northern District, plaintiff was ordered to file an affidavit in
20 support of a request to proceed in forma pauperis, or pay the required filing fee. (ECF No. 10.)
21 Subsequently, plaintiff filed a letter indicating he has tried to pay the filing fee several times, and
22 stated he enclosed one more trust withdrawal slip for the \$400 filing fee. (ECF No. 12.)

23 On December 6, 2013, plaintiff sent a \$400 withdrawal slip to the Northern District.
24 (ECF No. 4.) On December 20, 2013, plaintiff sent another withdrawal slip to the Northern
25 District. (ECF No. 6.) The court has confirmed that the Northern District did not receive
26 payment. Plaintiff provided another withdrawal slip with his recent filing. (ECF No. 12 at 2.)


27 It appears that plaintiff is under the misapprehension that his trust account withdrawal
28 form must be submitted to the court. However, plaintiff is mistaken. The court does not have

1 access to plaintiff's trust account. The form plaintiff completed is entitled "Trust Account
2 Withdrawal Order," and is addressed to the "Warden or Superintendent." (ECF No. 1 at 2.)
3 Plaintiff must present this withdrawal form to the appropriate prison official so that the prison
4 official will deduct these funds from plaintiff's trust account and forward the \$400.00 to the court.
5 There are prison procedures in place that plaintiff must follow to accomplish this task; if plaintiff
6 is unaware of the appropriate prison official to which to present the withdrawal form, he should
7 ask someone for assistance.

8 Accordingly, IT IS HEREBY ORDERED that plaintiff is granted thirty days in which to
9 pay the \$400.00 filing fee; plaintiff's failure to comply with this order will result in the dismissal
10 of this action.

11 Dated: May 5, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE