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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BERNARD L. SMITH,

12 Plaintiff,

13 v.

14 HAWKINS, et al.,

15 Defendants.
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No. 2:14-cv-2222-KJM-EFB P

ORDER

17 Plaintiff is a state prisoner proceeding without counsel and in forma pauperis in an action
18 brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302
19 pursuant to 28 U.S.C. § 636(b)(1).

20 Pursuant to 28 U.S.C. § 1915(b)(1), plaintiff must pay the \$350 filing fee required by 28
21 U.S.C. § 1914(a). Plaintiff is assessed an initial partial filing fee of 20 percent of the greater of
22 (a) the average monthly deposits to plaintiff's trust account; or (b) the average monthly balance in
23 plaintiff's account for the six-month period immediately preceding the filing of the complaint. 28
24 U.S.C. § 1915(b)(1). Thereafter, plaintiff must make monthly payments of 20 percent of the
25 preceding month's income credited to his trust account. 28 U.S.C. § 1915(b)(2).

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1 The agency having custody of plaintiff is required to forward to the Clerk of the Court the
2 initial partial filing fee, if funds exist, as well as payments from plaintiff's account each time the
3 amount in the account exceeds \$10, until the filing fee is paid. *Id.*

4 The Clerk of the Court shall serve a copy of this order and a copy of plaintiff's in forma
5 pauperis application upon the Director of the California Department of Corrections and
6 Rehabilitation and deliver a copy of this order to the Clerk's financial division.

7 So ordered.

8 Dated: April 27, 2015.

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EDMUND F. BRENNAN
10 UNITED STATES MAGISTRATE JUDGE
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