1		
2		
2		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10		
11	BRIAN SPEARS,	No. 2:15-cv-0165 AC P
12	Plaintiff,	
13	v.	ORDER FOR PAYMENT OF INMATE
14	EL DORADO COUNTY SHERIFF'S	FILING FEE
15	DEPARTMENT, et al.,	
16	Defendants.	
17	To: Director of the California Department of Corrections and Rehabilitation, 1515 S Street,	
18	Sacramento, California 95814:	
19	Plaintiff, a state prisoner proceeding in forma pauperis, is obligated to pay the statutory	
20	filing fee of \$350.00 for this action. Plaintiff is assessed an initial partial filing fee of 20 percent	
21	of the greater of (a) the average monthly deposits to plaintiff's trust account; or (b) the average	
22	monthly balance in plaintiff's account for the 6-month period immediately preceding the filing of	
23	this action. 28 U.S.C. § 1915(b)(1). Upon payment of that initial partial filing fee, plaintiff will	
24	be obligated to make monthly payments in the amount of twenty percent of the preceding month's	
25	income credited to plaintiff's trust account. The California Department of Corrections and	
26	Rehabilitation is required to send to the Clerk of the Court the initial partial filing fee and	
27	thereafter payments from plaintiff's prison trust account each time the amount in the account	
28	exceeds \$10.00, until the statutory filing fee of \$350.00 is paid in full. 28 U.S.C. § 1915(b)(2).	
		1

1

Good cause appearing therefore, IT IS HEREBY ORDERED that:

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

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

3. The Clerk of the Court is directed to serve a copy of this order and a copy of plaintiff's
signed in forma pauperis affidavit on the Director, California Department of Corrections and
Rehabilitation, 1515 S Street, Sacramento, California 95814.

17 4. The Clerk of the Court is directed to serve a copy of this order on the Financial18 Department of the court.

19 DATED: March 5, 2019

20

21

22

23

24

25

26

27

28

un Clan

ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE