

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

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

3 1. The Findings and Recommendations (ECF No. 8) are hereby vacated.


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

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

19 5. The Clerk of the Court is directed to serve a copy of this order on the Financial
20 Department of the court.

21 Dated: July 12, 2017

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24 KENDALL J. NEWMAN
25 UNITED STATES MAGISTRATE JUDGE

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