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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JON HUMES,

No. 2:18-CV-0695-CMK-P

Plaintiff,

vs.

ORDER

STATE OF CALIFORNIA, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). The request to proceed in forma pauperis will, therefore, be granted.

Pursuant to Eastern District of California Local Rules, this case was not assigned to a District Judge when the case was filed. The parties have not consented to Magistrate Judge jurisdiction and the court now finds that assignment of a District Judge is necessary to properly address the case.

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1 To: Sacramento County Jail
2 Attention Inmate Trust Accounts
3 651 "I" Street, Sacramento, CA 95814:

4 Plaintiff is obligated to pay the full statutory filing fee of \$350.00 for this action.
5 In addition to any initial partial filing fee required to be assessed, plaintiff will be obligated to
6 make monthly payments in the amount of twenty percent of the preceding month's income
7 credited to plaintiff's inmate trust account. The agency referenced above is required to send to
8 the Clerk of the Court the initial partial filing fee and thereafter payments from plaintiff's inmate
9 trust account each time the amount in the account exceeds \$10.00, until the statutory filing fee of
10 \$350.00 is paid in full. See 28 U.S.C. § 1915(b)(2).

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 4) is
13 granted;

14 2. Plaintiff is required to pay the full statutory filing fee of \$350.00 for this
15 action pursuant to 28 U.S.C. §§ 1914(a) and 1915(b)(1);

16 3. The director of the agency referenced above, or a designee, shall collect
17 from plaintiff's inmate trust account an initial partial filing fee in accordance with the provisions
18 of 28 U.S.C. § 1915(b)(1) and shall forward the amount to the Clerk of the Court, such payment
19 to be clearly identified by the name and number assigned to this action;

20 4. Thereafter, the director of the agency referenced above, or a designee, shall
21 collect from plaintiff's inmate trust account the balance of the filing fee by collecting monthly
22 payments from plaintiff's inmate trust account in an amount equal to twenty percent (20%) of the
23 preceding month's income credited to plaintiff's inmate trust account and forwarding payments to
24 the Clerk of the Court each time the amount in the account exceeds \$10.00 in accordance with 28
25 U.S.C. § 1915(b)(2), until the \$350.00 filing fee for this action has been paid in full, such
26 payments to be clearly identified by the name and number assigned to this action;

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5. 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 to the address shown above;

6. The Clerk of the Court is further directed to serve a copy of this order on the Financial Department of the court; and

7. The Clerk of the Court is directed to randomly assign a District Judge and to update the docket to reflect the new case number.

DATED: April 18, 2018



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE