

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAJOSEPH BIVINS,
Plaintiff,
v.

No. C 08-2570 MHP (pr)

**ORDER GRANTING LEAVE TO
PROCEED IN FORMA PAUPERIS**CONTRA COSTA CITY; et al.,
Defendants.

Plaintiff's application to proceed in forma pauperis is GRANTED. The total filing fee due is \$350.00. The initial partial filing fee due for the plaintiff at this time is **\$10.68**. The clerk shall send a copy of this order and the attached instructions to the plaintiff, the prison's trust account office, and the court's financial office.

IT IS SO ORDERED.

Dated: September 26, 2008


Marilyn Hall Patel
United States District Judge

1
2 **UNITED STATES DISTRICT COURT**
3 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

4 **INSTRUCTIONS FOR PAYMENT OF PRISONER'S FILING FEE**

5 The prisoner shown as the plaintiff or petitioner on the attached order has filed a
6 civil action in forma pauperis in this court and owes to the court a filing fee.
Pursuant to 28 U.S.C. § 1915, the fee is to be paid as follows:

7 The initial partial filing fee listed on the attached order should be deducted
8 by the prison trust account office from the prisoner's trust account and
9 forwarded to the clerk of the court as the first installment payment on the
10 filing fee. This amount is twenty percent of the greater of (a) the average
11 monthly deposits to the prisoner's account for the 6-month period
12 immediately preceding the filing of the complaint/petition or (b) the average
13 monthly balance in the prisoner's account for the 6-month period
14 immediately preceding the filing of the complaint/petition.

15 Thereafter, on a monthly basis, 20 percent of the preceding month's income
16 credited to the prisoner's trust account should be deducted and forwarded to
17 the court each time the amount in the account exceeds ten dollars (\$10.00).
18 The prison trust account office should continue to do this until the filing fee
19 has been paid in full.

20 If the prisoner does not have sufficient funds in his/her account to pay the initial
21 partial filing fee, the prison trust account office should forward the available funds,
22 and carry the balance forward each month until the amount is fully paid.

23 If the prisoner has filed more than one complaint, (s)he is required to pay a filing
24 fee for each case. The trust account office should make the monthly calculations
25 and payments for each case in which it receives an order granting in forma
26 pauperis and these instructions.

27 **The prisoner's name and case number must be noted on each remittance.** The
28 initial partial filing fee is due within thirty days of the date of the attached order.
Checks should be made payable to Clerk, U.S. District Court and sent to Prisoner
Accounts Receivable, U.S. District Court, 450 Golden Gate Avenue, Box 36060,
San Francisco, CA 94102.

cc: Plaintiff
Finance Office