

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID GAVALDON,
Plaintiff,

v.

MATTHEW L. CATE, et al.,
Defendants.

No. C 11-02887 SBA (PR)

**ORDER VACATING ORDER GRANTING
IN FORMA PAUPERIS STATUS AND
RESCINDING DIRECTIVE THAT
PLAINTIFF PAY THE FULL FILING FEE**

On August 5, 2011, the Court granted Plaintiff in forma pauperis (IFP) status and, pursuant to 28 U.S.C. § 1915(b), directed the "Prison Trust Account Office" to make monthly deductions from Plaintiff's trust account until he had paid the full \$350.00 filing fee. The Court also instructed Plaintiff to pay an initial partial filing fee of \$196.49. However, the Court's records indicate that Plaintiff actually paid the full filing fee of \$350.00 on July 5, 2011. See Receipt Number 44611007239. Therefore, the Court's Order was in error. The Court's Order granting IFP status to Plaintiff is VACATED, and the directive that Plaintiff pay the full filing fee is RESCINDED.

The Clerk of the Court shall send copies of this Order to the Court's Financial Office and to the Prison Trust Accounts Office of Pelican Bay State Prison, as well as to Plaintiff. This Court's Financial Office shall reimburse Plaintiff for all fee payments that have been deducted from his trust account and sent to the Court pursuant to the August 5, 2011 Order.

IT IS SO ORDERED.

DATED: 10/25/11


SAUNDRA BROWN ARMSTRONG
United States District Judge

United States District Court
For the Northern District of California

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

4 DAVID GAVALDON,
5 Plaintiff,

Case Number: CV11-02887 SBA

CERTIFICATE OF SERVICE

6 v.

7 MATTHEW L. CATE et al,
8 Defendant.

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on October 27, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 David Gavaldon C15376
16 Pelican Bay State Prison
17 P.O. Box 7500
18 Crescent City, CA 95532

19 PRISON TRUST ACCOUNT OFFICE
20 David Gavaldon C15376
21 Pelican Bay State Prison
22 P.O. Box 7500
23 Crescent City, CA 95532

24 Dated: October 27, 2011

25 Richard W. Wiekling, Clerk
26 By: LISA R CLARK, Deputy Clerk
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