

1
2
3
4
5
6
7
8
9
10
11
12
13

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SCOTT PAPENHAUSER #3999,
Plaintiff,
vs.
BARNES,
Defendant.

3:12-CV-0084-LRH (VPC)

ORDER GRANTING LEAVE TO
PROCEED IN FORMA PAUPERIS;
INITIAL INSTALLMENT
REQUIRED

Plaintiff has submitted a motion for leave to proceed *in forma pauperis* and a civil rights complaint. Based on the information about plaintiff's financial status, including any additional information plaintiff may have provided, the court finds that plaintiff is able to pay an initial installment payment towards the full filing fee pursuant to 28 U.S.C. § 1915.

IT IS THEREFORE **ORDERED** that plaintiff's motion for leave to proceed *in forma pauperis* without having to prepay the full filing fee is **GRANTED**; however, plaintiff shall be required to pay an initial installment fee in the amount of **\$14.76**. Plaintiff shall have thirty (30) days from the date this order is **ENTERED** in which to have the designated fee sent to the Clerk. Failure to do so may result in the dismissal of this action. Nevertheless, even if this action is dismissed, the full filing fee shall still be due, pursuant to 28 U.S.C. § 1915, as amended by the Prisoner Litigation Reform Act of 1996.

IT IS FURTHER **ORDERED** that, pursuant to 28 U.S.C. § 1915, as amended by the Prisoner Litigation Reform Act of 1996, the Plumas County Sheriff's Correctional Center shall pay to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits to the

1 plaintiff's account (in months that the account exceeds \$10.00) until the full \$350 filing fee has been
2 paid for this action. The Clerk shall send a copy of this order to the attention of Chief of Inmate Services
3 for Plumas County Sheriff's Correctional Center, 50 Abernathy Lane, Quincy, CA 95971.

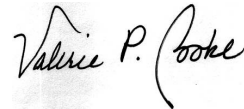
4 IT IS FURTHER **ORDERED** that the Clerk shall provide plaintiff with two copies of this order.
5 Plaintiff is ordered to make the necessary arrangements to have one copy of this order attached to the
6 check in the amount of the designated fee.

7 IT IS FURTHER **ORDERED** that the Clerk is directed to RETAIN the complaint, but not file
8 it at this time. The movant herein is permitted to maintain this action to conclusion without the necessity
9 of prepayment of any additional fees or costs or the giving of security therefor. This order granting *in*
10 *forma pauperis* status shall not extend to the issuance of subpoenas at government expense.

11 IT IS FURTHER **ORDERED** that the Clerk shall not issue summons to defendant(s) herein at
12 this time.

13 IT IS FURTHER **ORDERED** that henceforth, plaintiff shall serve upon defendant(s) or, if
14 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or other
15 document submitted for consideration by the court. Plaintiff shall include with the original paper
16 submitted for filing a certificate stating the date that a true and correct copy of the document was mailed
17 to the defendant(s) or counsel for the defendant(s). The court may disregard any paper received by a
18 district judge or magistrate judge which has not been filed with the Clerk, and any paper received by a
19 district judge, magistrate judge or the Clerk which fails to include a certificate of service.

20 Dated this 7th day of February, 2013.



21 _____
22 UNITED STATES MAGISTRATE JUDGE
23
24
25
26