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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 CHRISTOPHER L. SMITH,

12 Plaintiff,

13 v.

14 RACHEL BROWN, *et al.*,

15 Defendants.

CASE NO. C10-5296BHS

ORDER GRANTING APPLICATION
TO PROCEED *IN FORMA*
PAUPERIS AND DIRECTING
INSTITUTION TO CALCULATE,
COLLECT, AND FORWARD
PAYMENTS

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17 The Court, having reviewed plaintiff's application to proceed in forma pauperis (Doc. 1)
18 and further submissions, does hereby find and ORDER.

19 (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give
20 security therefor. Accordingly, plaintiff's application to proceed as a pauper is GRANTED. As
21 set forth below, an initial partial filing fee will be collected, and plaintiff is required to make
22 monthly payments of 20 percent of the preceding months income credited to his/her account until
23 the full amount of the filing fee is satisfied.

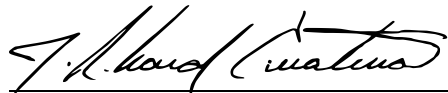
24 (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed in
25 forma pauperis, the agency having custody of the above named plaintiff is directed to calculate
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1 an initial partial filing fee equal to 20 percent of the greater of -- the average monthly deposits to
2 the prisoner's account or the average monthly balance in the prisoner's account for the 6-month
3 period immediately preceding the date of this Order. The initial partial filing fee should be
4 forwarded to the court clerk as soon as practicable.

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6 Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is
7 directed to collect and forward payments equal to 20 percent of the prisoner's preceding month's
8 income credited to the prisoner's account. In the event that the monthly payment would reduce
9 the prisoner's account below \$10.00, the agency should collect and forward only that amount
10 which would reduce the prisoner's account to the \$10.00 level. Please note that this \$10.00 limit
11 does not apply to the initial partial filing fee described above. Finally, the monthly payments
12 should be collected and forwarded to the court until the entire filing fee (\$350.00) for this matter
13 has been paid.

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15 (3) Even though at this time plaintiff is incarcerated at the Pierce County Jail, it is
16 assumed plaintiff is also a state prisoner where he would maintain a prison inmate account.
17 Thus, the Clerk is directed to send plaintiff a copy of this Order and the General Order, and a
18 copy of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion
19 of the IFP application to the attention of the inmate account manager (IFP account manager) at
20 the Washington State Department of Corrections.

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22 DATED this 11th day of May, 2010.

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25 J. Richard Creatura
26 United States Magistrate Judge