2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT TACOMA 9 JEREMIAH JOSHUA PARK, 10 CASE NO. C11-5097 BHS/JRC Plaintiff, 11 ORDER GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS AND v. 12 DIRECTING INSTITUTION TO COWLITZ COUNTY, et al., CALCULATE, COLLECT, AND 13 FORWARD PAYMENTS Defendants. 14 15 The Court, having reviewed plaintiff's application to proceed in forma pauperis does 16 hereby find and ORDER. 17 (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give 18 security therefore. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED**. 19 20 As set forth below, an initial partial filing fee will be collected, and plaintiff is required to 21 make monthly payments of 20 percent of the preceding month's income credited to his/her 22 account until the full amount of the filing fee is satisfied. 23 (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed in 24 forma pauperis, the agency having custody of the above named plaintiff is directed to calculate 25 an initial partial filing fee equal to 20 percent of the greater of -- the average monthly deposits to 26 the prisoner's account or the average monthly balance in the prisoner's account for the 6-month

period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

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

(3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP application to the Prison Litigation Reform Act ("PLRA") contact person, the inmate account manager at the Cowlitz County Jail.

DATED this 8th day of February, 2011.

J. Richard Creatura

United States Magistrate Judge