UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SAM DRAKE, Plaintiff, v. IBAL, *et al.*, Defendants.	Case No. 1:22-cv-01149-BAM (PC) ORDER GRANTING MOTION TO PROCEED *IN FORMA PAUPERIS* (ECF No. 2) ORDER DIRECTING PAYMENT OF INMATE FILING FEE BY FRESNO COUNTY JAIL

Plaintiff Sam Drake ("Plaintiff") is a pretrial detainee proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983.

On September 9, 2022, Plaintiff filed a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915, together with a certified copy of his inmate trust account statement for the past six months. (ECF No. 2.)

Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted. Plaintiff is obligated to pay the statutory filing fee of $350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent (20%) of the preceding month's income credited to Plaintiff's trust account. The Fresno County Jail is required to send to the Clerk of the Court payments from Plaintiff's trust account each time the amount in the account exceeds $10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis*, (ECF No. 2), is GRANTED;

2. The Warden/Sheriff of the Fresno County Jail or his or her designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of the Court each time the amount in the account exceeds $10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of $350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action;

3. The Clerk of the Court is directed to serve a copy of this order and a copy of Plaintiff's *in forma pauperis* application on the Warden/Sheriff of the Fresno County Jail, via the United States Postal Service; and

4. The Clerk of the Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California.

IT IS SO ORDERED.

Dated: **September 13, 2022**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE