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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN THE MATTER OF THE
IMPLEMENTATION OF THE *IN*
FORMA PAUPERIS STATUTE, 28 U.S.C.
§ 1915

GENERAL ORDER

Pursuant to 28 U.S.C. § 1915(b)(1), enacted April 26, 1996, each prisoner plaintiff bringing a civil rights action must pay the statutory filing fee of \$120.00.¹ The court will assess and collect an initial partial filing fee of twenty (20) percent of the average monthly deposits to the prisoner's account for the six months immediately preceding the filing of a lawsuit, or twenty (20) percent of the average monthly balance in the prisoner's account for the same six month period, whichever is greater. 28 U.S.C. § 1915(b)(1).

The institution having custody of the prisoner shall fill in the Certification and Calculation section of the Declaration and Application to Proceed *In Forma Pauperis*, when the prisoner plaintiff submits the Acknowledgment and Authorization page to the institution. The institution shall then withdraw the calculated initial partial filing fee and forward the funds to the Clerk of the Court once the

¹The statutory filing fee for a civil action except applications for writs of habeas corpus is \$120.00. 28 U.S.C. § 1914(a).

1 institution has received notification from the Clerk of the Court identifying the case number assigned
2 to the prisoner plaintiff's civil rights action.

3 If the prisoner plaintiff does not have sufficient funds in his/her account to pay the initial partial
4 filing fee, the institution should forward the available funds (those exceeding \$10.00), and carry the
5 remaining balance forward each month until the amount is fully paid.

6 Thereafter, the prisoner plaintiff is obligated to make monthly payments in the amount of twenty
7 (20) percent of the preceding month's income credited to his/her account each time the amount in the
8 account exceeds \$10.00. The institution having custody is required to send to the Clerk of the Court
9 payments from the prisoner plaintiff's account pursuant to 28 U.S.C. § 1915(b)(2).

10 If the prisoner plaintiff has filed more than one complaint and/or appeal, he/she is required to pay
11 a separate filing fee for each action. The institution should make the monthly calculations and forward
12 payments for each separate action.

13 **EACH PAYMENT SHALL BE CLEARLY IDENTIFIED BY THE NAME OF THE**
14 **PRISONER AND THE CAUSE NUMBER ASSIGNED TO EACH ACTION.** The payment of the
15 initial partial filing fee must be identified as such and contain the prisoner plaintiff's name and the cause
16 number assigned to his/her civil rights action. Checks should be made payable to Clerk, U.S. District
17 Court and sent to: Clerk, United States District Court, 1010 Fifth Avenue, U.S. Courthouse, Room 215,
18 Seattle, Washington 98104.

19 The court directs all prisoner plaintiffs, correctional institutions and jails in the Western District
20 of Washington to comply with the amendments to 28 U.S.C. § 1915, enacted April 26, 1996.

1 **IT IS SO ORDERED.** The Clerk is directed to enter this Order and give Notice of the entry of
2 this Order.

3 **DATED** this 6 day of Sept, 1996.

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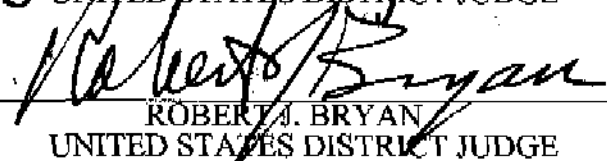
6 CAROLYN R. DIMMICK
7 CHIEF UNITED STATES DISTRICT JUDGE

8 

9 BARBARA JACOBS ROTHSTEIN
10 UNITED STATES DISTRICT JUDGE

11 

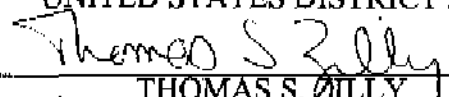
12 JOHN C. COUGENOUR
13 UNITED STATES DISTRICT JUDGE

14 

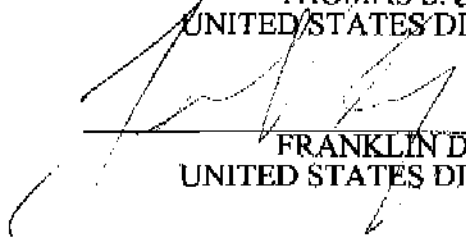
15 ROBERT J. BRYAN
16 UNITED STATES DISTRICT JUDGE

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18 WILLIAM L. DWYER
19 UNITED STATES DISTRICT JUDGE

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21 THOMAS S. OILLY
22 UNITED STATES DISTRICT JUDGE

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24 FRANKLIN D. BURGESS
25 UNITED STATES DISTRICT JUDGE