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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOUGLAS PIPER,
Plaintiff,
v.
HARVEYS CASINO, et al.,
Defendants.

No. 2:16-cv-2374 GEB CKD PS

ORDER

By order filed October 6, 2016, plaintiff was directed to either submit a completed in forma pauperis application or pay the filing fee. Plaintiff did not respond to the court's order. On October 26, 2016, the court recommended that the action be dismissed. Plaintiff has filed objections. The court will allow plaintiff one final opportunity to submit a completed in forma pauperis application.

Plaintiff's application states he has not received money from any source in the last twelve months, owns no cash and has no savings or checking accounts, and owns no property. The application on its face is not credible in light of plaintiff's allegations in the complaint that he had sufficient funds to gamble and win tens of thousands of dollars. Any amended affidavit must set forth all resources plaintiff has, including receipt of disability benefits or general assistance and must state the last date of plaintiff's employment and provide the other information required under question 2(b) of the form application. Plaintiff is advised that the application must be

1 signed under penalty of perjury. Any misrepresentations to the court regarding plaintiff's
2 application will result in a recommendation that the action be dismissed. See 28 U.S.C. §
3 1915(e)(2)(A).

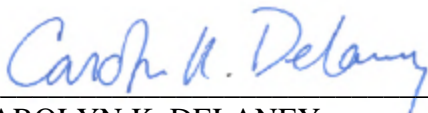
4 In accordance with the above, IT IS HEREBY ORDERED that:

5 1. The October 26, 2016 findings and recommendation are vacated;

6 2. Plaintiff shall submit, within fourteen days from the date of this order, either a
7 completed application and affidavit in support of his request to proceed in forma pauperis on the
8 form provided by the Clerk of Court, or the appropriate filing fee; plaintiff's failure to comply
9 with this order will result in a recommendation that this action be dismissed; and

10 3. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In
11 Forma Pauperis.

12 Dated: November 8, 2016

13 
14 CAROLYN K. DELANEY
15 UNITED STATES MAGISTRATE JUDGE

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