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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Juan Gabriel Rodriguez,
Plaintiff,
vs.
Espinoza, et al.,
Defendants.

No. CV 10-725-PHX-JAT (MHB)

ORDER

Plaintiff Juan Gabriel Rodriguez, who is confined in the Arizona State Prison Complex-Florence, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 and an incomplete Application to Proceed *In Forma Pauperis*. On April 19, 2010, the Court denied the Application to Proceed with leave to refile. On April 28, 2010, Plaintiff filed a “Motion to Continue Investigation, Not Dismiss Complaint” (Doc. #6).

I. Motion

In the Motion, Plaintiff states that he has been unable to obtain a copy of his certified six-month trust account statement from the Arizona Department of Corrections (ADOC) Central Office, and requests the Court to order ADOC to provide the statement.

The Court will treat Plaintiff’s Motion as a request for extension of time and will grant Plaintiff an additional 30 days to file a completed Application to Proceed *In Forma Pauperis*

1 and certified six-month trust account statement. The Court will deny the Motion with respect
2 to all other relief requested.

3 If Plaintiff is having difficulty obtaining a certified six-month trust account statement,
4 he should include a copy of the Court's April 19, 2010 Order with his request to the ADOC
5 Central Office.

6 **II. Warnings**

7 **A. Address Changes**

8 Plaintiff must file and serve a notice of a change of address in accordance with Rule
9 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
10 relief with a notice of change of address. Failure to comply may result in dismissal of this
11 action.

12 **B. Copies**

13 Plaintiff must submit an additional copy of every filing for use by the Court. See
14 LRCiv 5.4. Failure to comply may result in the filing being stricken without further notice
15 to Plaintiff.

16 **C. Possible Dismissal**

17 If Plaintiff fails to timely comply with every provision of this Order, including these
18 warnings, the Court may dismiss this action without further notice. See *Ferdik v. Bonzelet*,
19 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
20 comply with any order of the Court).

21 **IT IS ORDERED:**

22 (1) Plaintiff's April 28, 2010 (Doc. #6) Motion is **granted** to the extent that
23 Plaintiff has 30 days of the date this Order is filed to either pay the \$350.00 filing fee **or** file
24 a completed Application to Proceed *In Forma Pauperis* and a certified six-month trust
25 account statement from the ADOC's Central Office. The Motion is **denied** with respect to
26 all other relief requested.

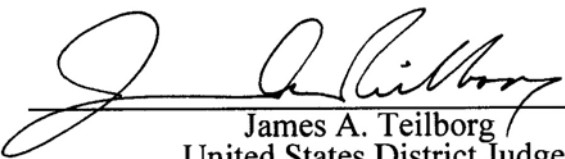
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(2) If Plaintiff fails to either pay the \$350.00 filing fee or file a completed Application to Proceed *In Forma Pauperis* within 30 days, the Clerk of Court must enter a judgment of dismissal of this action without prejudice and without further notice to Plaintiff

DATED this 12th day of May, 2010.



James A. Teilborg
United States District Judge