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

Steven Ho,
Plaintiff,
vs.
Ben Griego, et al.,
Defendants.

No. CV 10-1864-PHX-GMS (MEA)

ORDER

On August 30, 2010, Plaintiff Steven Ho, who is confined in the Corrections Corporation of America’s Saguaro Correctional Center in Eloy, Arizona, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 and an incomplete Application to Proceed *In Forma Pauperis*. In a September 9, 2010 Order, the Court denied the Application to Proceed and gave Plaintiff 30 days to either pay the filing fee or file a complete Application to Proceed *In Forma Pauperis* and certified six-month trust account statement.

On September 16, 2010, Plaintiff filed a second, incomplete Application to Proceed *In Forma Pauperis*. In an October 7, 2010 Order, the Court denied the Application to Proceed because Plaintiff did not sign the “Consent to Collection of Fees from Trust Account” section and Plaintiff did not submit a certified six-month trust account statement. The Court gave Plaintiff 30 days to either pay the filing fee or file a new Application to Proceed *In Forma Pauperis*.

1 On October 13, 2010, Plaintiff filed a third incomplete Application to Proceed *In*
2 *Forma Pauperis*. On October 15, 2010, Plaintiff filed a Motion for Extension of Time to file
3 a new Application to Proceed. In an October 20, 2010 Order, the Court denied the deficient
4 third Application to Proceed because Plaintiff again did not sign the “Consent to Collection
5 of Fees from Trust Account” section and Plaintiff did not submit a certified six-month trust
6 account statement. The Court granted the Motion for Extension of Time and gave Plaintiff
7 30 days to either pay the filing fee or file a complete Application to Proceed *In Forma*
8 *Pauperis*.

9 On October 29, 2010, Plaintiff filed a fourth Application to Proceed *In Forma*
10 *Pauperis* (Doc. 10), which was also deficient.

11 Because Plaintiff repeatedly failed to comply with the Court’s Orders specifying that
12 he submit a complete, certified Application to Proceed and a certified account statement, the
13 Court issued a November 18, 2010 Order (Doc. 11) dismissing this action pursuant to Rule
14 41(b) of the Federal Rules of Civil Procedure for failure to comply with a Court Order. See
15 Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (stating a district court may
16 dismiss action for failure to comply with any order of the court). Judgment was entered on
17 November 18, 2010 (Doc. 12).

18 On November 30, 2010, Plaintiff filed an “Objection” to the Court’s Order of
19 Dismissal, which the Court construed as a Motion for Reconsideration. The Court denied
20 the Motion by Order filed January 3, 2011.

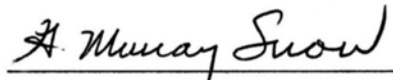
21 On March 4, 2011, Plaintiff filed a six-month trust account statement (Doc. 16). On
22 March 8, 2011, Plaintiff filed a “Motion for Extension of Time to Prove SCC was Tampering
23 with this Case” (Doc. 17), which the Court denied in a March 10, 2011 Order (Doc. 18).

24 Pending before the Court are Plaintiff’s March 22, 2011 and March 24, 2011
25 Applications to Proceed *In Forma Pauperis*. **This case is closed.** The Court will therefore
26 deny Plaintiff’s March 22nd and 24th Motions as moot. **If Plaintiff wishes to renew his**
27 **claims in this Court, he must file a new Complaint in a new case and either pay the**
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1 **filing fee or file a new Application to Proceed *In Forma Pauperis* and certified six-**
2 **month trust account statement in the new case.**

3 **IT IS ORDERED** that Plaintiff's March 22, 2011 and March 24, 2011 Application
4 to Proceed *In Forma Pauperis* (Docs. 19 and 21) are **denied as moot**. This case must remain
5 **closed**. Plaintiff must not file any further documents in this closed case.

6 DATED this 29th day of March, 2011.

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G. Murray Snow
United States District Judge

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