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

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Jimmy Lee Cheney,

No. CV 11-816-PHX-GMS (ECV)

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Plaintiff,

ORDER

11

vs.

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Arizona Department of Corrections, et al.,

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Defendants.

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On April 21, 2011, Plaintiff Jimmy Lee Cheney, who is confined in the Arizona State Prison Complex-Lewis in Buckeye, Arizona, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 and an Application to Proceed *In Forma Pauperis*. In an April 25, 2011 Order, the Court denied the deficient Application to Proceed and gave Plaintiff 30 days to pay the fee or file a complete Application to Proceed *In Forma Pauperis*.

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I. Pending Motion

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On May 31, 2011, Plaintiff filed a “Motion to Request a Thirty Day Extension of Time to Complete Application to Proceed In Forma Pauperis with Six Month Trust Account Statement” (Doc. 6). The Court, in its discretion, will grant the Motion and will give Plaintiff an additional 30 days to either pay the \$350.00 filing fee or file a complete Application to Proceed *In Forma Pauperis*.

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1 **II. Warnings**

2 **A. Address Changes**

3 Plaintiff must file and serve a notice of a change of address in accordance with Rule
4 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion for other
5 relief with a notice of change of address. Failure to comply may result in dismissal of this
6 action.

7 **B. Copies**

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

11 **C. Possible Dismissal**

12 If Plaintiff fails to timely comply with every provision of this Order, including these
13 warnings, the Court may dismiss this action without further notice. See *Ferdik v. Bonzelet*,
14 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action for failure to
15 comply with any order of the Court).

16 **IT IS ORDERED:**

17 (1) Plaintiff's Motion to Request a Thirty Day Extension of Time (Doc. 6) is
18 **granted.**

19 (2) Within 30 days of the date this Order is filed, Plaintiff must either pay the
20 \$350.00 filing fee **or** file a complete Application to Proceed *In Forma Pauperis* and a
21 certified six-month trust account statement from the ADOC's Central Office.

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(3) If Plaintiff fails to either pay the \$350.00 filing fee or file a complete 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 2nd day of June, 2011.



G. Murray Snow
United States District Judge