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

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12 Brent Daniel Van DeCastele,

No. CV 12-1158-PHX-RCB (BSB)

13

Plaintiff,

ORDER

14

vs.

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Maricopa County, et al.,

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Defendants.

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Plaintiff Brent Daniel Van DeCastele, who is confined in the Arizona State Prison Complex-Eyman, Cook Unit, in Florence, 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 Order filed on August 29, 2012, the Court granted Plaintiff leave to proceed *in forma pauperis*. (Doc. 11.) The same day, Plaintiff filed a motion to submit an inmate trust account statement. (Doc. 13.) Because Plaintiff previously provided his inmate trust account statement, doc. 8, and the Court has already granted him leave to proceed *in forma pauperis*, doc. 11, the Court will deny the motion to submit to the extent that any relief is sought therein.

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1 **Warnings**

2 **A. Release**

3 Plaintiff must pay the unpaid balance of the filing fee within 120 days of his release.
4 Also, within 30 days of his release, he must either (1) notify the Court that he intends to pay
5 the balance or (2) show good cause, in writing, why he cannot. Failure to comply may result
6 in dismissal of this action.

7 **B. 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 **C. Possible “Strike”**

13 Because the Complaint has been dismissed for failure to state a claim, if Plaintiff fails
14 to file an amended complaint correcting the deficiencies identified in this Order, the
15 dismissal may count as a “strike” under the “3-strikes” provision of 28 U.S.C. § 1915(g).
16 Under the 3-strikes provision, a prisoner may not bring a civil action or appeal a civil
17 judgment *in forma pauperis* under 28 U.S.C. § 1915 “if the prisoner has, on 3 or more prior
18 occasions, while incarcerated or detained in any facility, brought an action or appeal in a
19 court of the United States that was dismissed on the grounds that it is frivolous, malicious,
20 or fails to state a claim upon which relief may be granted, unless the prisoner is under
21 imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

22 **D. Possible Dismissal**

23 If Plaintiff fails to timely comply with every provision of this Order, including these
24 warnings, the Court may dismiss this action without further notice. See Ferdik, 963 F.2d at
25 1260-61 (a district court may dismiss an action for failure to comply with any order of the
26 Court).

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IT IS ORDERED that Plaintiff's motion to submit is **denied** to the extent that any relief is sought as moot. (Doc. 13.)

DATED this 31st day of August, 2012.



Robert C. Broomfield
Senior United States District Judge