

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-9010-UA (OP)	Date	May 13, 2011
Title	Shaun Darnell Garland v. D.S. Lewis		

Present: The Honorable	Oswald Parada, United States Magistrate Judge		
Maynor Galvez	N/A	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
None	None		

Proceedings: IN CHAMBERS: ORDER TO SHOW CAUSE RE: NON-PAYMENT OF FILING FEE

On November 9, 2010, Shaun Darnell Garland. (“Plaintiff”) lodged with the Court for filing a Civil Rights Complaint pursuant to 42 U.S.C. § 1983. However, Plaintiff failed to pay the full filing fee of \$350 and failed to submit an *in forma pauperis* application in order to proceed without payment of the full filing fee.

Accordingly, on January 28, 2011, the Court issued an Order to Show Cause (“OSC”) before February 28, 2011, why Plaintiff should not be required to submit the required filing fee of \$350. Alternatively, the Court allowed Plaintiff to submit the filing fee to the clerk’s office prior to that date or submit an *in forma pauperis* application in order to proceed without payment of the full filing fee. Finally, the Court admonished Plaintiff that the “[f]ailure to properly respond to this order to show cause will result in dismissal of this action without prejudice.”

On February 25, 2011, Plaintiff filed his response to the OSC. In his response, Plaintiff has attached a copy of an *in forma pauperis* application dated November 10, 2010, along with additional exhibits. However, the IFP application does not contain a certified copy of Plaintiff’s prisoner trust account. As a result, the IFP application is deficient. However, as stated in Plaintiff’s exhibit A, while the prison officials will not provide Plaintiff with the certified copy of the trust account, they will forward it directly to the Court. The Court will not accept Plaintiff’s IFP application submitted in the Eastern District of California, as that application was filed in March of 2006, over five years ago.

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Accordingly, Plaintiff shall have until June 10, 2011, to submit a certified copy of his trust account for the last six months.

Plaintiff is admonished that the failure to properly respond to this order will result in a recommendation of dismissal of this action without prejudice.

The Clerk is directed to provide Plaintiff with a blank *in forma pauperis* application.

IT IS SO ORDERED.

cc: All Parties of Record

Initials of _____ : _____
Prepare MG _____