

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 15-270-PA (KK) Date January 21, 2015

Title Michael Alexandre Pinkston v. Facility Captain Sean Moore, et al.

Present: The Honorable Kenly Kiya Kato, United States Magistrate Judge

Deb Taylor

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None Present

None Present

Proceedings: (In Chambers) Order To Show Cause Why Request to Proceed Without Prepayment of Filing Fees Should Not Be Denied for Failure to Submit Trust Account Statement

On January 13, 2015, Plaintiff filed a *pro se* prisoner civil rights complaint pursuant to 42 U.S.C. section 1983. With the complaint, plaintiff filed a request to proceed without prepayment of filing fees. However, plaintiff failed to submit a certified copy of plaintiff's trust account statement for the last six months, as is required by 28 U.S.C. § 1915(a)(2) for prisoners seeking to bring a civil action without prepayment of fees. While Plaintiff has also submitted a declaration stating that he is attempting to obtain a certified copy of his trust account statement, no such document has yet been received.

Accordingly, the court hereby issues this ORDER TO SHOW CAUSE why plaintiff's application to proceed without prepayment of filing fees should not be denied for failure to submit a certified copy of his trust account statement. Plaintiff is ordered to respond to this Order to Show Cause on or before **February 4, 2015**. To respond to the Order to Show Cause, plaintiff must do one of the following:

1. Plaintiff may resubmit a Request to Proceed without Prepayment of Filing Fees with Declaration in Support that includes the certificate of an authorized officer at plaintiff's current place of confinement and attaches a certified copy of plaintiff's trust account statement for the last 6 months in accordance with 28 U.S.C. § 1915(a)(2). A copy of this form (CV-60P) is enclosed for plaintiff's convenience.

2. If for some reason plaintiff is unable to submit a certified copy of plaintiff's trust account statement, plaintiff may file a written response explaining why he is unable

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to do so. Such written response must show good cause for plaintiff's failure to submit a trust account statement.

Plaintiff is cautioned that failure to respond to this Order to Show Cause as set forth above will result in the denial of his application to proceed without prepayment of filing fees.