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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEN STOKES,
Plaintiff,
vs.
DEPT. OF CORRECTIONS,
STATE OF CALIFORNIA,
Defendants.

1:06-CV-00325-OWW-DLB-P
ORDER TO SUBMIT NEW
APPLICATION TO PROCEED
IN FORMA PAUPERIS AND
CERTIFIED COPY OF TRUST
ACCOUNT STATEMENT **OR**
PAY FILING FEE

_____/

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. However, plaintiff's application to proceed in forma pauperis was not submitted on the appropriate form pursuant to 28 U.S.C. §1915. Additionally, plaintiff has not filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a new application to proceed in forma pauperis and a certified copy of his trust account statement, **or** to pay the \$250.00 filing fee.

Accordingly, IT IS HEREBY ORDERED that:

1 1. The Clerk's Office shall send to plaintiff the form for application to proceed in
2 forma pauperis.

3 2. Within thirty days of the date of service of this order, plaintiff shall submit a
4 completed application to proceed in forma pauperis and a certified copy of his prison trust
5 account statement for the six month period immediately preceding the filing of the complaint, or
6 in the alternative, to pay the \$250.00 filing fee for this action. Failure to comply with this order
7 will result in a recommendation that this action be dismissed.

8 IT IS SO ORDERED.

9 **Dated: March 29, 2006**
10 3c0hj8

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE