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

SONNY RAY HARDAWAY,
Plaintiff,

1:06-CV-01406 OWW LJO P

vs.

N. OLSEN, et al.,
Defendants.

ORDER TO SUBMIT APPLICATION
TO PROCEED IN FORMA PAUPERIS
OR FILING FEE
(Doc. 7)

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. The complaint was originally filed on October 5, 2006, in the Sacramento Division of the United States District Court for the Eastern District of California. It was ordered transferred and received in the Fresno Division on October 12, 2006. Plaintiff has not paid the \$350.00 filing fee. On October 24, 2006, plaintiff filed an application to proceed in forma pauperis. However, the application is incomplete, as the section entitled "Certificate" was not filled out by a prison employee, and the attached trust account statement copies were not certified. 28 U.S.C. § 1915(a)(2). Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma pauperis.
2. Within **thirty (30) days** of the date of service of this order, plaintiff shall submit a completed application to proceed in forma pauperis, or in the alternative, pay the \$350.00

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1 filing fee for this action. Failure to comply with this order will result in a recommendation that
2 this action be dismissed.

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4 IT IS SO ORDERED.

5 **Dated:** October 25, 2006
i0d3h8

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE

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