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

SONNY RAY HARDAWAY,

1:06-CV-1460 AWI WMW P

Plaintiff,

vs.

ORDER TO SUBMIT APPLICATION  
TO PROCEED IN FORMA PAUPERIS  
**OR** FILING FEE

SUPERIOR COURT, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not paid the \$350.00 filing fee, or submitted an application to proceed in forma pauperis on the appropriate form pursuant to 28 U.S.C. § 1915. 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 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 filing fee for this action. Failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

**Dated:** October 27, 2006  
j14hj0

/s/ William M. Wunderlich  
UNITED STATES MAGISTRATE JUDGE