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

JOSHUA LEE SIMMONS,

1:07-cv-01000-LJO-WMW (PC)

Plaintiff,

vs.

ORDER TO SUBMIT CERTIFIED  
COPY OF PRISON TRUST ACCOUNT  
STATEMENT **OR** PAY FILING FEE

GALENDO, et al.,

Defendant(s).

\_\_\_\_\_/

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, 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 certified copy of his trust account statement in support of his request to proceed in forma pauperis, or pay the \$350.00 filing fee.

In accordance with the above, IT IS HEREBY ORDERED that within thirty days of the date of service of this order, plaintiff shall submit a certified copy of his prison trust

1 account statement for the six month period immediately preceding the filing of the complaint, or  
2 in the alternative, pay the \$350.00 filing fee for this action. Failure to comply with this order will  
3 result in a recommendation that this action be dismissed.

4 IT IS SO ORDERED.

5 **Dated:** July 24, 2007

/s/ William M. Wunderlich  
UNITED STATES MAGISTRATE JUDGE

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