

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

LADON SHIVER,

1:07-cv-01128-OWW-SMS (PC)

Plaintiff,

vs.

ORDER TO SUBMIT A NEW APPLICATION
TO PROCEED IN FORMA PAUPERIS AND
A CERTIFIED COPY OF TRUST ACCOUNT
STATEMENT **OR** PAY FILING FEE

J. FRANCO, et al.,

Defendants.

_____ /

Plaintiff, a federal prisoner proceeding pro se, has filed a civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971), 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 did not include the required original signature by an authorized officer of the institution of incarceration. 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. 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 \$350.00 filing fee .

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 and a certified copy of his prison trust account

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

4
5 IT IS SO ORDERED.

6 **Dated: August 15, 2007**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE