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

DION MARTELL KING,
Plaintiff,
vs.
AVENAL STATE PRISON, et al.,
Defendants.

1:07-cv-001283 AWI-NEW (DLB) (PC)
ORDER TO SUBMIT NEW APPLICATION
TO PROCEED IN FORMA PAUPERIS AND
CERTIFIED COPY OF TRUST ACCOUNT
STATEMENT **OR** PAY FILING FEE
THIRTY DAY DEADLINE

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On August 28, 2007, plaintiff submitted an application to proceed in forma pauperis to the United States District Court for the Northern District of California. However, the application was not submitted on the appropriate form. Additionally, plaintiff did not submit a certified copy of his prison trust account statement. See 28 U.S.C. § 1915. Plaintiff shall be given the opportunity to submit a new application and a certified copy of his prison trust account statement, or 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; and
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 which includes the six month period immediately preceding the filing of the complaint, or
2 in the alternative, pay the \$350 filing fee for this action. Failure to comply with this order will result
3 in a recommendation that this action be dismissed.

4 IT IS SO ORDERED.

5 **Dated: September 14, 2007**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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