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

DARNELL CARTER,  
Plaintiff,

vs.

WILLIAM J. MCGUINNESS, et al.,  
Defendants.

1:07-cv-001373-AWI-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, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 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 information required in the certificate portion of the application, required original signature by an authorized officer of the institution of incarceration, or 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 new application to proceed in forma pauperis and a certified copy of his trust account statement, **or** to pay the \$350.00 filing fee.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The Clerk's Office shall send to plaintiff the form for application to proceed in  
3 forma pauperis.

4 2. Within thirty days of the date of service of this order, plaintiff shall submit a  
5 completed application to proceed in forma pauperis and a certified copy of his prison trust  
6 account statement for the six month period immediately preceding the filing of the complaint, or  
7 in the alternative, to pay the \$350.00 filing fee for this action. Failure to comply with this order  
8 will result in a recommendation that this action be dismissed.

9 IT IS SO ORDERED.

10 **Dated: September 24, 2007**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE

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