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

HECTOR MANZANAREZ,
Plaintiff,
vs.
PATRICK O'HARA, et al.,
Defendants.

1:07-cv-001378 OWW-DLB (PC)

ORDER TO SUBMIT NEW APPLICATION
TO PROCEED IN FORMA PAUPERIS AND
CERTIFIED COPY OF TRUST ACCOUNT
STATEMENT **OR** PAY FILING FEE
WITHIN THIRTY (30) DAYS

_____/

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 was deficient as follows:

The copy of plaintiff's prison trust account statement was for four months, not for the required **six month period** immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2). Additionally, section 3. on page one of the application was not completed.

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 plaintiff the form for application to proceed in
3 forma pauperis.

4 2. Within thirty (30) days of the date of service of this order, plaintiff shall
5 submit a **completed** application to proceed in forma pauperis and a certified copy of his prison
6 trust account statement for the **six month** period immediately preceding the filing of the
7 complaint, or in the alternative, to pay the \$350.00 filing fee for this action. Failure to comply
8 with this order 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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