

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

SEAN BRITT,

Plaintiff,

vs.

C. NYENKE,

Defendants.

1:07cv1544 AWI-WMW (PC)

ORDER TO SUBMIT NEW
APPLICATION TO PROCEED
IN FORMA PAUPERIS **OR**
PAY FILING FEE

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 and a copy of his prison trust account statement. However, plaintiff's application to proceed in forma pauperis did not include plaintiff's required original signature. Each document submitted for filing must include the original signature of the filing party or parties. Local Rule 7-131; F.R.C.P. 11(a). Plaintiff will be provided the opportunity to submit a new application to proceed in forma pauperis which includes his original signature, **or** pay the \$350.00 filing fee.

Accordingly, IT IS HEREBY ORDERED that:

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

3 2. Within thirty days of the date of service of this order, plaintiff shall submit a
4 completed application to proceed in forma pauperis which includes his original signature, or in
5 the alternative, pay the \$350.00 filing fee. Plaintiff is not required to re-submit a certified copy
6 of his prison trust account statement. Failure to comply with this order will result in a
7 recommendation that this action be dismissed.

8
9 IT IS SO ORDERED.

10 Dated: October 24, 2007

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE