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

ROBERT E. BARRETT,

1:09-cv-01741-GSA (PC)

Plaintiff,

ORDER TO SUBMIT SIGNED
APPLICATION TO PROCEED IN FORMA
PAUPERIS OR PAY FILING FEE
WITHIN THIRTY (30) DAYS

vs.

M. CATE, et al.,

Defendants.

_____ /

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 because it 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; Fed. R. Civ. P. 11(a).

Accordingly, IT IS HEREBY ORDERED that:

Within thirty (30) days of the date of service of this order, plaintiff shall re-submit the enclosed application to proceed in forma pauperis, with plaintiff's original signature, or in the alternative, pay the \$350.00 filing fee for this action.

Failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: October 7, 2009

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE