

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

7 JAMES LEE HELM, 1:09-cv-2111-SMS (PC)
8 Plaintiff,
9 vs.
10 SHERIFF ADAM CHRISTIANSON, et al., ORDER TO SUBMIT A
11 Defendants **NON-PRISONER APPLICATION**
TO PROCEED IN FORMA PAUPERIS
OR PAY THE \$350.00 FILING FEE
WITHIN THIRTY DAYS

13 Plaintiff is a civil detainee proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983.
14 Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil
15 detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey,
16 201 F.3d 1136, 1140 (9th Cir. 2000.)

17 Plaintiff has not paid the \$350.00 filing fee, or submitted an application to proceed in forma
18 pauperis on the appropriate form pursuant to 28 U.S.C. § 1915. Accordingly, IT IS HEREBY
19 ORDERED that:

20 1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma
21 pauperis for a non-prisoner; and

22 2. Within thirty days of the date of service of this order, plaintiff shall submit the completed
23 and signed application to proceed in forma pauperis **for a non-prisoner**, or in the alternative, pay the
24 \$350.00 filing fee for this action. **Failure to comply with this order will result in a recommendation**
25 **that this action be dismissed.**

26 || IT IS SO ORDERED.

27 || Dated: December 10, 2009

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE