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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS J. GABBA,

1:10-cv-00414 SMS (PC)

Plaintiff,

ORDER TO SUBMIT A
NON-PRISONER APPLICATION
TO PROCEED IN FORMA PAUPERIS
OR PAY THE \$350.00 FILING FEE
WITHIN THIRTY DAYS

vs.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

_____ /

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

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

1. The Clerk’s Office shall send to plaintiff the attached form for application to proceed in forma pauperis **for a non-prisoner**;
2. Within thirty days of the date of service of this order, plaintiff shall submit the completed and signed application to proceed in forma pauperis **for a non-prisoner**, or in the

1 alternative, pay the \$350.00 filing fee for this action. **Failure to comply with this order will**
2 **result in dismissal of this action.**

3 IT IS SO ORDERED.

4 **Dated:** March 12, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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