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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE EASTERN DISTRICT OF CALIFORNIA
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8 SAMUEL KENNETH PORTER,

1:10-cv-01210-GSA (PC)

9 Plaintiff,

ORDER TO SUBMIT APPLICATION
TO PROCEED IN FORMA PAUPERIS
OR PAY FILING FEE WITHIN 45 DAYS

10 vs.

11 CAPTAIN JENNINGS, et al.,

12 Defendants.
13 _____/

14 Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. §
15 1983. Plaintiff has not paid the \$350.00 filing fee, or submitted an application to proceed in forma
16 pauperis pursuant to 28 U.S.C. § 1915.

17 Accordingly, IT IS HEREBY ORDERED that:

18 Within forty-five (45) days of the date of service of this order, plaintiff shall submit the
19 attached application to proceed in forma pauperis, completed and signed, or in the alternative, pay
20 the \$350.00 filing fee for this action. **No requests for extension will be granted without a**
21 **showing of good cause.** Within sixty (60) days of the date of service of this order, plaintiff shall
22 submit a certified copy of his/her prison trust statement for the six month period immediately
23 preceding the filing of the complaint.

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

26 IT IS SO ORDERED.

27 Dated: July 9, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE