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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LARRY BANKS,  
  
                  Plaintiff,  
  
          v.  
  
SHANNON HANDY, et al.,  
  
                  Defendants.

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) 1:10-cv-01236-AWI-SKO

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

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to Title 42 of the United States Code Section 1983. Plaintiff has neither paid the \$350.00 filing fee, nor submitted an application to proceed in forma pauperis pursuant to Title 28 of the United States Code Section 1915.

Accordingly, IT IS HEREBY ORDERED that:

Within forty-five (45) days of the date of service of this order, Plaintiff shall submit the attached application to proceed in forma pauperis, completed and signed, or, in the alternative, he shall pay the \$350.00 filing fee for this action. **No requests for extension will be granted**

1 **without a showing of good cause.** If Plaintiff elects to submit the application to proceed in  
2 forma pauperis, within sixty (60) days of the date of service of this order, Plaintiff shall submit a  
3 certified copy of his prison trust statement for the six-month period immediately preceding the  
4 filing of the complaint.

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

7  
8 IT IS SO ORDERED.

9 **Dated: July 14, 2010**

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE