

1 The Court can not determine what Plaintiff is claiming or what relief he is seeking.
2 The Court reminds Plaintiff that he must file an application to proceed in forma pauperis
3 in this action and that then, within sixty (60) days of the Order granting IFP status, Plaintiff
4 must submit a certified copy of his prison trust statement for the six month period
5 immediately preceding the filing of his Complaint. Plaintiff has not filed an application to
6 proceed in forma pauperis in this action.
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8 At the present stage in the proceedings, a motion to compel is not the proper course
9 of action. General discovery has not been opened. Defendants have not been named nor
10 required to disclose anything. Under Rule 37 of the Federal Rules of Civil Procedure, a
11 motion to compel may be brought “[i]f a party fails to make a disclosure required by Rule
12 26(a)” or replies to a discovery request with an “evasive or incomplete disclosure, answer,
13 or response.” See Fed.R.Civ.P. 37(a). Therefore, Plaintiff’s Motion to Compel is DENIED.
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15 Plaintiff’s pleading is titled Motion for Extension Time, however, it appears to be
16 asking about the status of a filing. Specifically, Plaintiff asks whether the Court has
17 received his application for in forma pauperis. (ECF No. 19.) Plaintiff states that he sent
18 it on August 25, 2011. The Court notes that it has not received an application to proceed
19 in forma pauperis in this action. The Court also notes that the current deadline for Plaintiff
20 to file an application is September 12, 2011. (ECF No. 17.)
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22 The Court will grant Plaintiff one final extension of time to file his application to
23 proceed in forma pauperis.
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25 Accordingly, the Court HEREBY ORDERS that

- 26 1. Plaintiff’s Motion to Compel is DENIED;
- 27 2. Plaintiff’s Motion for Extension is GRANTED;

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3. Plaintiff's application to proceed in forma pauperis is due no later than
October 1, 2011; and

4. No further extensions of time will be given.

IT IS SO ORDERED.

Dated: September 2, 2011


UNITED STATES MAGISTRATE JUDGE