

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

CARLOS GILBERT LAW,
Plaintiff,

1:11-cv-01339-LJO SKO

V.

GREGORY STEVEN MILLER, et al.,
Defendants.

ORDER REQUIRING PLAINTIFF TO FILE
APPLICATION TO PROCEED IN FORMA
PAUPERIS OR PAY FILING FEE WITHIN
THIRTY DAYS

ORDER DIRECTING CLERK TO SEND
PRISONER IFP APPLICATION TO
DEFENDANT

(Doc. 2)

16 Plaintiff, a prisoner proceeding pro se, filed this civil action on August 12, 2011. Plaintiff filed
17 a motion seeking leave to proceed in forma pauperis, but the form application he submitted lacks the
18 requisite authorization for the deduction of the filing fee from Plaintiff's trust account as funds are
19 available. 28 U.S.C. § 1915. (Doc. 2). In a letter received on August 25, 2011, Plaintiff informed the
20 Court that his complaint was not alleging a civil rights claim pursuant 42 U.S.C. § 1983 (Doc. 4).
21 Plaintiff, however, failed to comply with the Court's order to submit a fully complete form application
22 to proceed in forma pauperis that includes the authorization for the deduction of the filing fee from
23 Plaintiff's trust account. Plaintiff is informed that he is required to complete this form for all civil
24 actions, not just Section 1983 claims. Plaintiff's case cannot proceed unless this form is filed.

25 || Accordingly, IT IS HEREBY ORDERED that:

26 1. Within **thirty (30)** days from the date of service of this order, Plaintiff shall file the
27 attached application to proceed in forma pauperis, completed and signed, or in the
28 alternative, pay the \$350.00 filing fee for this action;

2. **No extension of time will be granted without a showing of good cause; and**
3. **The failure to comply with this order will result in dismissal of this action, without prejudice.**

IT IS SO ORDERED.

Dated: August 29, 2011

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE