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

CARLOS GILBERT LAW,  
  
Plaintiff,  
  
v.  
  
GREGORY STEVEN MILLER, et al.,  
  
Defendants.

1:11-cv-01339-LJO SKO  
  
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)

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

Accordingly, IT IS HEREBY ORDERED that:

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

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- 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**