

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM HUBERT LLOYD
BRANDSTATT,

Plaintiff,

vs.

DR. ANTHONY ENENMOH, C.M.O, *et*
al.,

Defendants.

Case No. 1:13-cv-00434-RRB

ORDER REGARDING
MOTION AT DOCKET NO. 8

At Docket No. 8 Plaintiff William Hubert Lloyd Brandstatt, a state prisoner appearing *pro se*, filed a motion to proceed *in forma pauperis* in response to the Court's June 13, 2013, Order.¹ Attached to Brandstatt's motion is an Inmate/Parolee Request for an Interview Item or Service (CDCR 22) dated April 12, 2012, and an Application to Proceed In Forma Pauperis by a Prisoner dated March 3, 2013.² The Application to Proceed In Forma Pauperis has an annotation on the last page: "A certified trust account state[ment] was sent to this Court on 2-19-13." The records of this Court do not reflect receipt of a trust account statement.³

¹ Docket 7.

² The Court's Records do not show that either document was previously filed with the Court.

³ Indeed, even if the statement were sent to the Court, it could not have been processed in this case. The Complaint initiating this action is dated March 20, 2013, and

Although Brandstatt has utilized the proper form, he has not complied with the requirement that he submit a certified copy of his prison trust account statement. Accordingly,

IT IS THEREFORE ORDERED that the motion to proceed *in forma pauperis* at **Docket No. 8** is **DENIED** without prejudice.

IT IS FURTHER ORDERED that on or before **August 29, 2013**, Plaintiff must comply with the Order dated April 1, 2013, and attach thereto a Certified Copy of his prison trust account statement for the six (6) months preceding the date the Complaint was filed. **Failure to comply with this Order will result in dismissal of the Complaint.**

The Clerk of the Court is directed to re-serve the Order entered at Docket No. 3 on Plaintiff together with this Order.

IT IS SO ORDERED this 9th day of July, 2013.

S/ RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE

date stamped as filed on March 30, 2013, more than a month after Brandstatt contends the trust account statement was sent to the Court and nearly two months before Brandstatt submitted his CDCR 22.