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

REGINALD RAY YORK,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

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Case No. 1:14-cv-01234-LJO-SKO (PC)  
**ORDER DENYING MOTION TO PROCEED  
IN FORMA PAUPERIS AND REQUIRING  
PLAINTIFF TO PAY \$400.00 FILING FEE  
WITHIN THIRTY DAYS**  
(Doc. 7)

Plaintiff Reginald Ray York, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 6, 2014. The Court ordered Plaintiff to file an application to proceed in forma pauperis or pay the \$400.00 filing fee on August 11, 2014. On August 22, 2014, Plaintiff filed an application to proceed in forma pauperis.

Plaintiff's current trust account balance is \$3775.08 and his average balance for the past six months was \$4094.54. 28 U.S.C. § 1915(a)(1), (2). Based on those balances, Plaintiff is ineligible to proceed in forma pauperis in this action. Id.

Accordingly, Plaintiff's motion for leave to proceed in forma pauperis is **HEREBY DENIED**, and Plaintiff has **thirty (30) days** from the date of service of this order within which to

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1 pay the \$400.00 filing fee. **If Plaintiff fails to pay the filing fee in compliance with this order,**  
2 **this action will be dismissed, without prejudice.**

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4 IT IS SO ORDERED.

5 Dated: August 25, 2014

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE

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