

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT BARBOUR,

Plaintiff,

v.

CLIFF ALLENBY, et al..

Defendants.

CASE NO. 1:14-cv-1696-MJS (PC)

**ORDER (1) GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS
(ECF Nos. 2 & 3); (2) VACATING ORDER
REQUIRING PLAINTIFF TO SUBMIT
APPLICATION TO PROCEED IN FORMA
PAUPERIS OR PAY FILING FEE (ECF
No. 9)**

Plaintiff is a civil detainee proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action in the Northern District of California on October 20, 2014. (ECF No. 1.) The action was transferred to this District on October 30, 2014. (ECF No. 7.)

On November 5, 2014, Plaintiff was ordered to submit a proper application to proceed in forma pauperis or pay the \$400 filing fee in full within thirty days. (ECF No. 9.) However, it appears that, prior to transfer of the action to this District, Plaintiff filed an application to proceed in forma pauperis on the appropriate form (ECF No. 2), and also filed a separate motion to proceed in forma pauperis (ECF No. 3). These requests have not been ruled on.

1 Examination of these documents reveals that plaintiff is unable to afford the costs
2 of this action. Accordingly, the applications to proceed in forma pauperis (ECF Nos. 2
3 and 3) are GRANTED. The Court's November 5, 2014 order requiring Plaintiff to submit
4 an additional application to proceed in forma pauperis or pay the applicable filing fee is
5 VACATED.

6 IT IS SO ORDERED.
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8 Dated: December 15, 2014

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10 /s/ *Michael J. Seng*
11 UNITED STATES MAGISTRATE JUDGE
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