

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ROBERT BARBOUR,  
Plaintiff,  
v.  
CLIFF ALLENBY, et al.,  
Defendant.

1:14-cv-01696-MJS (PC)

ORDER TO SUBMIT A  
**NON-PRISONER** APPLICATION  
TO PROCEED IN FORMA PAUPERIS  
**OR** PAY THE \$400.00 FILING FEE  
WITHIN THIRTY DAYS

Plaintiff is a civil detainee proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9<sup>th</sup> Cir. 2000).

Plaintiff has not paid the \$400.00 filing fee, or submitted an application to proceed in forma pauperis on the appropriate form pursuant to 28 U.S.C. § 1915. Accordingly, IT IS **HEREBY ORDERED** that:

1. The Clerk’s Office shall send to plaintiff the attached form for application to proceed in forma pauperis **for a non-prisoner**;
2. Within thirty days of the date of service of this order, plaintiff shall submit the completed and signed application to proceed in forma pauperis **for a non-prisoner**, or in the alternative, pay the \$400.00 filing fee for this action. **Failure to comply with this order will**

1 **result in dismissal of this action.**

2 IT IS SO ORDERED.

3  
4 Dated: November 4, 2014

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28