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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN PHILPOTT,
Plaintiff,
v.
AUDREY KING, et al.,
Defendants.

1:14-cv-01766-GSA (PC)

ORDER TO SUBMIT A NEW
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 (9th Cir. 2000).

Plaintiff filed the Complaint commencing this action on October 6, 2014, together with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (Docs. 1, 2.) However, Plaintiff’s application to proceed in forma pauperis was not submitted on the form used by this court. Plaintiff shall be granted time to complete the proper form and return it to the court.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk’s Office shall send to plaintiff a form for application to proceed in forma pauperis for a non-prisoner; and

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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 result in dismissal of this action.**

IT IS SO ORDERED.

Dated: November 20, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE