

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

TERRANCE BUTLER,

Case No. 1:14-cv-02021-SKO (PC)

Plaintiff,

**ORDER DIRECTING CLERK'S OFFICE TO  
SEND NON-PRISONER IFP APPLICATION  
AND REQUIRING PLAINTIFF TO FILE  
COMPLETED IN FORMA PAUPERIS  
APPLICATION OR PAY FILING FEE  
WITHIN THIRTY DAYS**

v.

CLIFF ALLENBY, et al.,

Defendants.

(Doc. 2)

Plaintiff Terrance Butler, a civil detainee proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 19, 2014. Plaintiff seeks leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a), but he failed to fill out the application he filed with the Court. (Doc. 2.)

While Plaintiff is not subject to the Prison Litigation Reform Act, as he argues, *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000), he must nevertheless file an in forma pauperis application setting forth sufficient information to allow the Court to determine whether he is entitled to proceed without paying the filing fee, *Andrews v. Cervantes*, 493 F.3d 1047, 1051 (9th Cir. 2007); *Lister v. Dep't of the Treasury*, 408 F.3d 1309, 1312 n. (10th Cir. 2005). Accordingly, the Court HEREBY ORDERS as follows:

1. The Clerk's Office shall send Plaintiff a non-prisoner in forma pauperis application;

1           2.       Within **thirty (30) days** from the date of service of this order, Plaintiff shall file a  
2 completed in forma pauperis application or pay the \$400.00 filing fee in full; and

3           3.       The failure to comply with this order will result in dismissal of this action, without  
4 prejudice.

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6 IT IS SO ORDERED.

7       Dated: **January 6, 2015**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE

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