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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GERRY WILLIAMS,

Plaintiff,

vs.

J. ANDRADE, et al.,

Defendants.

1:14-cv-02073-AWI-GSA-PC

ORDER DENYING APPLICATION TO
PROCEED IN FORMA PAUPERIS
(Doc. 2.)

ORDER FOR PLAINTIFF TO PAY \$400.00
FILING FEE IN FULL WITHIN THIRTY
DAYS

Gerry Williams (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. §1983. Plaintiff filed the Complaint commencing this action on December 29, 2014, together with an application to proceed in forma pauperis. (Docs. 1, 2.)

It appears, from a review of Plaintiff’s application and the certified copy of his prison trust account statement, that Plaintiff can afford the costs of this action. Plaintiff’s evidence shows that his prison account contains \$3,878.69, that the average monthly deposit in his account for the six-month period immediately preceding the filing of the Complaint was \$666.67, and that the average monthly balance for the same six-month period was \$665.78. (Doc. 2 at 2.) Therefore, Plaintiff’s application to proceed in forma pauperis shall be denied, and Plaintiff shall be required to pay the statutory filing fee of \$400.00 for this action in full.

1 Based on the foregoing, IT IS HEREBY ORDERED that:

- 2 1. Plaintiff's motion to proceed in forma pauperis, filed on December 29, 2014, is
3 DENIED;
- 4 2. Within thirty days from the date of service of this order, Plaintiff is required to
5 pay the \$400.00 filing fee for this action in full; and
- 6 3. Plaintiff's failure to comply with this order shall result in the dismissal of this
7 action.

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9 IT IS SO ORDERED.

10 Dated: January 8, 2015


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SENIOR DISTRICT JUDGE