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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL B. WILLIAMS,
Plaintiff,
v.
SUSAN DE ANDA,
Defendant.

Case No. 1:15-cv-00028 DLB (PC)

ORDER DENYING MOTION TO PROCEED
IN FORMA PAUPERIS AND REQUIRING
PLAINTIFF TO PAY \$400.00 FILING FEE
WITHIN THIRTY DAYS
[ECF No. 7]

ORDER DENYING MOTION TO COMPEL
[ECF No. 6]

Plaintiff Michael B. Williams, a civil detainee proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 5, 2015. The Court ordered Plaintiff to file an application to proceed in forma pauperis or pay the \$400.00 filing fee on January 12, 2015. On January 26, 2015, Plaintiff filed an application to proceed in forma pauperis. Also on January 26, 2015, Plaintiff filed a motion to compel.

According to Plaintiff's application, he currently has \$10,593.30 in his trust account. Based on this balance, Plaintiff is ineligible to proceed in forma pauperis in this action. 28 U.S.C. § 1915(a)(1).

Also pending before the Court is Plaintiff's motion to compel. Plaintiff seeks an order directing the hospital patient's trust officer to provide a certified copy of his trust account statement. Plaintiff's motion will be denied. The Court has before it Plaintiff's declaration under perjury that his current account balance is \$10,598.30. Insofar as Plaintiff is a civil detainee, the Court does not require more to make its determination. 28 U.S.C. § 1915(a)(1).

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Accordingly, IT IS HEREBY ORDERED:

1) Plaintiff's motion for leave to proceed in forma pauperis is HEREBY DENIED, and Plaintiff has **thirty (30) days** from the date of service of this order within which to pay the \$400.00 filing fee. **If Plaintiff fails to pay the filing fee in compliance with this order, this action will be dismissed, without prejudice;** and

2) Plaintiff's motion to compel is DENIED.

IT IS SO ORDERED.

Dated: January 30, 2015

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE