

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 ARCHIE CRANFORD,

12 Plaintiff,

13 vs.

14 AUDREY KING, et al.,

15 Defendants.
16
17
18

1:15-cv-00118-GSA-PC

ORDER DISCHARGING ORDER TO SHOW
CAUSE
(Doc. 6.)

ORDER DIRECTING CLERK TO RE-SERVE THE
COURT'S FEBRUARY 5, 2015 ORDER UPON
PLAINTIFF
(Doc. 5.)

THIRTY-DAY DEADLINE FOR PLAINTIFF TO
SUBMIT NON-PRISONER IFP APPLICATION

19 Archie Cranford ("Plaintiff") is a civil detainee proceeding pro se with this civil rights
20 action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and
21 Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of
22 the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).
23 Plaintiff has consented to the jurisdiction of a Magistrate Judge under 28 U.S.C. § 636(c).
24 (Doc. 4.)

25 On March 19, 2015, the court issued an order to show cause, requiring Plaintiff to notify
26 the court within thirty days why this case should not be dismissed for Plaintiff's failure to
27 comply with the court's February 5, 2015 order requiring him to submit a non-prisoner
28 application to proceed in forma pauperis. (Doc. 6.) On March 27, 2015, Plaintiff filed a

1 response to the court's order, asserting that he did not receive the court's February 5, 2015
2 order. (Doc. 7.)

3 Based on Plaintiff's assertion, the court shall re-serve the February 5, 2015 order upon
4 Plaintiff, affording Plaintiff another opportunity to submit the non-prisoner application to
5 proceed in forma pauperis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The court's order to show cause, issued on March 19, 2015, is discharged;
- 8 2. The Clerk is directed to re-serve the court's February 5, 2015 order upon
9 Plaintiff, together with a non-prisoner application to proceed in forma pauperis;
- 10 3. Within thirty days from the date of service of this order, Plaintiff shall complete
11 and submit the non-prisoner application to proceed in forma pauperis to the
12 court; and
- 13 4. Plaintiff's failure to comply with this order will result in the dismissal of this
14 action without further notice.

15 IT IS SO ORDERED.
16

17 Dated: May 16, 2015

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE