

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 EARL SIMPSON,

10 Plaintiff,

11 vs.

12 PAM AHLIN,

13 Defendant.

) 1:15-cv-00560-BAM (PC)

) ORDER TO SUBMIT A **NON-PRISONER**
) APPLICATION TO PROCEED IN FORMA
) PAUPERIS **OR** PAY THE \$400.00 FILING
) FEE WITHIN THIRTY DAYS

14
15 Plaintiff is a civil detainee proceeding pro se in a civil rights action pursuant to 42 U.S.C.
16 § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq.
17 are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act.
18 Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

19 Plaintiff initiated this action on April 9, 2015. Plaintiff has neither paid the \$400.00
20 filing fee nor submitted an application to proceed in forma pauperis on the appropriate form
21 pursuant to 28 U.S.C. §1915.

22 Accordingly, IT IS HEREBY ORDERED that:

23 1. The Clerk's Office shall send to plaintiff an application to proceed in forma pauperis
24 for a **non-prisoner**;

25 2. Within thirty days of the date of service of this order, plaintiff shall submit the
26 completed and signed application to proceed in forma pauperis for a non-prisoner, or in the
27 alternative, pay the \$400.00 filing fee for this action; and

28 ///

3. **Failure to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: **April 20, 2015**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE