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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANSELMO SOLORIO,
Plaintiff,
v.
GARY JOHNSON, *et al.*,
Defendants.

1:15-cv-00657-LJO-GSA

**ORDER DIRECTING PLAINTIFF TO
COMPLETE HIS APPLICATION TO
PROCEED IN FORMA PAUPERIS**

On April 29, 2015, Plaintiff Anselmo Solorio (“Plaintiff”) filed a Complaint. (ECF No. 1.)
On that same date, Plaintiff filed an application to proceed *in forma pauperis* (“IFP”) in lieu of
paying the filing fee to commence a removal action in this Court. (ECF No. 2).

A civil action may proceed despite a failure to prepay the entire filing fee only if the party
initiating the action is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a). *See*
Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir. 1999). In applying to proceed IFP, a plaintiff
must submit an affidavit that “state[s] the facts as to [the] affiant’s poverty with some
particularity, definiteness and certainty.” *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir.
1960) (“The right to proceed in forma pauperis is not an unqualified one. It is a privilege, rather
than a right”); *United States v. Shadley*, No. 2:09-MC-80 WBS GGH, 2010 WL 2509910, at *1

1 (E.D. Cal. June 17, 2010) (denying request to proceed IFP where applicant “failed to adequately
2 document her financial status”). Under 28 U.S.C. § 1915, as amended by the Prison Litigation
3 Reform Act (“PLRA”), a prisoner seeking leave to proceed IFP must also submit a “certified
4 copy of the trust fund account statement (or institutional equivalent) for ... the six-month period
5 immediately preceding the filing of the complaint.” 28 U.S.C. § 1915(a)(2); *Andrews v. King*,
6 398 F.3d 1113, 1119 (9th Cir. 2005).
7

8 Plaintiff’s application to proceed IFP is incomplete. Plaintiff has submitted only a single
9 page of the IFP application and has failed to submit a certified copy of his trust account statement
10 as required by 28 U.S.C. § 1915(a)(2). Accordingly, no later than June 12, 2015, Plaintiff must
11 file a fully completed application with the required information or submit the required filing fee
12 for his Complaint. **Plaintiff is advised that failure to comply with the Court’s order may**
13 **result in the denial of his application or dismissal of his case.**
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17 IT IS SO ORDERED.

18 Dated: May 22, 2015

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE