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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 GILBERT GUZMAN, ) 1:15-cv-00786-BAM (PC)  
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11 Plaintiff, )  
12 vs. ) ORDER GRANTING APPLICATION TO  
13 PAM AHLIN, ) PROCEED IN FORMA PAUPERIS  
14 Defendant. ) (ECF No. 2)

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 (“PLRA”). Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

19 Plaintiff initiated this action on March 5, 2015, in the Sacramento Division of the Eastern  
20 District of California. In conjunction with his complaint, Plaintiff filed an application to proceed  
21 in forma pauperis. (ECF No. 2.) Following review of his application, the court ordered Plaintiff  
22 to submit a completed affidavit in support of his request to proceed in forma pauperis, along with  
23 a certified copy of his prison trust account statement. (ECF No. 4.)

24 In response to the Court’s order, on March 23, 2015, Plaintiff submitted an application to  
25 proceed in forma pauperis by a prisoner. (ECF No. 5.)

26 On May 22, 2015, the action was transferred to this Court. (ECF No. 7.)

27 As Plaintiff is a civil detainee, not a prisoner within the meaning of the PLRA, he need  
28 not file a prisoner application to proceed in forma pauperis or a copy of any prison trust account

1 statement. Accordingly, the Court has reviewed Plaintiff's original application to proceed in  
2 forma pauperis filed on March 5, 2015. Examination of these documents reveals that Plaintiff is  
3 unable to afford the costs of this action. Therefore, the application to proceed in forma pauperis  
4 is GRANTED.

5 IT IS SO ORDERED.

6 Dated: May 29, 2015

7 /s/ Barbara A. McAuliffe  
8 UNITED STATES MAGISTRATE JUDGE  
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