

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SAM CONSIGLIO, JR.,

Plaintiff,

V.

AUDREY KING,

Defendant.

1:15-cv-00969-BAM (PC)

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

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

Plaintiff initiated this action on June 26, 2015. Plaintiff has neither paid the \$400.00 filing fee nor submitted an application to proceed in forma pauperis on the appropriate form pursuant to 28 U.S.C. § 1915.

Accordingly, IT IS HEREBY ORDERED that:

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

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

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

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IT IS SO ORDERED.

Dated: July 1, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE