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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

DANIEL OROZCO,
Plaintiff,
v.
W. WILSON, et al.,
Defendant.

Case No. 1:16-cv-01731-EPG (PC)

**ORDER TO SUBMIT APPLICATION
TO PROCEED IN FORMA PAUPERIS
OR PAY FILING FEE WITHIN 30 DAYS**

30 DAY DEADLINE

Plaintiff is a state prisoner proceeding *pro se* in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not paid the \$400.00 filing fee or submitted an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff was previously directed to submit an application to proceed *in forma pauperis* or pay the filing fee for this action no later than January 5, 2016. (ECF No. 3.) Rather than submit the required application, however, Plaintiff submitted a certification that his trust account currently contains no funds. The certification does not attach statements showing transactions for the last six months, despite asserting that the statements are attached, nor did Plaintiff fill out or return the *in forma pauperis* application that was provided to him. Plaintiff must fill out such an application before he can proceed with his case.

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Accordingly, IT IS HEREBY ORDERED that within **30 days** of the date of service of this order, Plaintiff shall submit the attached application to proceed *in forma pauperis*, completed and signed, or, in the alternative, pay the \$400.00 filing fee for this action. **Failure to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: January 9, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE