

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH RAYMOND McCOY,
Plaintiff,
v.
M. TANN, et al.,
Defendants.

1:16-cv-01864-GSA-PC

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

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on November 28, 2016 in the Northern District of California. (ECF No. 1.) On December 9, 2016, the case was transferred to the Eastern District of California. (ECF No. 5.)

Plaintiff has not paid the \$400.00 filing fee. On December 16, 2016, the court issued an order requiring Plaintiff to complete and submit an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, or in the alternative, to pay the \$400.00 filing fee in full. (ECF No. 7.) On January 23, 2017, Plaintiff submitted an application to proceed in forma pauperis and a certified copy of his prison trust account statement. (ECF No. 11.)

The application submitted by Plaintiff is deficient. Plaintiff did not complete any of the second page of the application and most of the third page. Plaintiff shall be granted another opportunity to submit a completed application. Plaintiff does not need to submit another certified copy of his prison trust account statement.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that:

Within thirty 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. **No requests for extension will be granted without a showing of good cause. Failure to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: February 2, 2017

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE