

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

CATHELL DAVID JEYS,  
Plaintiff,  
v.  
AUDRY KING, et al.,  
Defendants.

Case No. 1:16-cv-01913-BAM (PC)  
**ORDER TO SUBMIT A NON-PRISONER  
APPLICATION TO PROCEED IN FORMA  
PAUPERIS OR PAY THE \$400.00 FILING  
FEE WITHIN THIRTY DAYS**  
**THIRTY (30) DAY DEADLINE**

Plaintiff Cathell David Jeys (“Plaintiff”) is a civil detainee proceeding pro se in this civil rights action under 42 U.S.C. § 1983. Individuals detained under 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 has not paid the \$400.00 filing fee, or submitted an application to proceed in forma pauperis in this matter, as required by 28 U.S.C. § 1915. Accordingly, the Court **HEREBY ORDERS** that:

- 1. The Clerk’s Office shall send to Plaintiff the attached form for application to proceed in forma pauperis **for a non-prisoner**;

///  
///  
///

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

- 2. Within thirty (30) 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
- 3. **Failure to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: December 28, 2016

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE