

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RODNEY C. BUCKLEY, JR.,

Plaintiff,

v.

B. JOHNSON, et al.,

Defendants.

Case No. 1:17-cv-00102-BAM (PC)

ORDER DENYING IN FORMA PAUPERIS  
APPLICATION WITHOUT PREJUDICE

(ECF No. 4)

ORDER TO SUBMIT PRISONER  
APPLICATION TO PROCEED IN FORMA  
PAUPERIS OR PAY FILING FEE WITHIN  
**FORTY-FIVE (45) DAYS**

Plaintiff Rodney C. Buckley, Jr. ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on January 23, 2017. (ECF No. 1.)

On January 26, 2017, the Court issued an order for Plaintiff to submit an application to proceed in forma pauperis or pay the filing fee within forty-five (45) days. (ECF No. 3.) On February 2, 2017, Plaintiff filed the instant motion to proceed in forma pauperis under 28 U.S.C. § 1915 (ECF No. 4.)

Plaintiff's application form is incomplete. He indicates under question number 3 that he has received money over the last twelve months from various items, but fails to describe the source of money for those items, the amounts received, and the amounts he expects he will continue to receive. He also fails to answer question number 6 at all. Plaintiff must submit a completed application for the Court to consider his request to proceed in forma pauperis.

1 Accordingly, the Court HEREBY ORDERS that:

2 1. Plaintiff's motion to proceed in forma pauperis (ECF No. 4) is DENIED, without  
3 prejudice;

4 2. The Clerk of the Court is directed to serve this order and a blank IFP application  
5 for a prisoner on Plaintiff;

6 3. Within **forty-five (45) days** from the date of service of this order, Plaintiff shall  
7 file the attached application to proceed in forma pauperis, completed and signed, or in the  
8 alternative, pay the \$400.00 filing fee for this action;

9 4. No extension of time will be granted without a showing of good cause; and

10 5. **Plaintiff is warned that the failure to comply with this order will result in**  
11 **dismissal of this action, without prejudice.**

12  
13 IT IS SO ORDERED.

14 Dated: **February 6, 2017**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28