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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT J. RODRIGUEZ,

Plaintiff,

v.

DON PENNER, et al.,

Defendants.

Case No. 1:17-cv-00204-DAD-SAB

ORDER DENYING PLAINTIFF'S
APPLICATION TO PROCEED IN FORMA
PAUPERIS WITHOUT PREJUDICE AND
REQUIRING PLAINTIFF TO FILE
APPLICATION TO PROCEED IN FORMA
PAUPERIS OR PAY FILING FEE

(ECF No. 5)

THIRTY DAY DEADLINE

Plaintiff Robert J. Rodriguez, a pretrial detainee, is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On February 13, 2017, Plaintiff filed a complaint in this action. However, Plaintiff did not file an application to proceed in forma pauperis or pay the filing fee. On February 15, 2017, the Court ordered Plaintiff to either pay the filing fee or file an application demonstrating that he is entitled to proceed in this action without prepayment of the filing fee. (ECF No. 2.)

On March 16, 2017, Plaintiff filed an application to proceed in forma pauperis. (ECF No. 5.) However, Plaintiff's form is incomplete. The certificate portion of the form is not dated, signed, or filled-out by an authorized officer of the institution of incarceration. Plaintiff must submit a completed form. Plaintiff's application to proceed in forma pauperis (ECF No. 5.) is denied without prejudice. The Court will order Plaintiff to complete and file an application to

1 proceed in forma pauperis. If Plaintiff is unwilling to complete and submit the application to
2 proceed in forma pauperis, he must pay the filing fee in full.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Plaintiff's application to proceed in forma pauperis (ECF No. 5) is DENIED
5 without prejudice;
- 6 2. The Office of the Clerk is directed to provide Plaintiff with an application to
7 proceed in forma pauperis by a prisoner;
- 8 3. Within thirty (30) days from the date of service of this order, Plaintiff shall file
9 the attached application to proceed in forma pauperis, completed and signed, or in
10 the alternative, pay the \$400.00 filing fee for this action;
- 11 4. No extension of time will be granted without a showing of good cause; and
- 12 5. The failure to comply with this order will result in dismissal of this action,
13 without prejudice.

14 IT IS SO ORDERED.

15 Dated: March 17, 2017

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18 UNITED STATES MAGISTRATE JUDGE
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