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6	UNITED STATES DISTRICT COURT	
7	EASTERN DISTRICT OF CALIFORNIA	
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9	ROGELIO MAY RUIZ,	Case No.: 1:17-cv-00709-BAM (PC)
10	Plaintiff,	ORDER DENYING MOTION FOR LEAVE
11	v.	TO PROCEED IN FORMA PAUPERIS, WITHOUT PREJUDICE
12	R. MOBERT,	(ECF No. 2)
13	Defendant.	ORDER TO SUBMIT PRISONER
14		APPLICATION TO PROCEED IN FORMA PAUPERIS OR PAY FILING FEE WITHIN
15		FORTY-FIVE (45) DAYS
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17	Plaintiff Rogelio May Ruiz is a state prisoner proceeding pro se in this civil action	
18	pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on December 23, 2016, by filing a	
19	complaint in the United States District Court for the Southern District of California. (ECF No. 1.)	
20	On May 23, 2017, the action was transferred to this district. (ECF No. 4.)	
21	Currently before the Court is Plaintiff's motion requesting leave to proceed in forma	
22	pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2.) Although Plaintiff has generally completed,	
23	dated, and signed a form motion requesting to proceed in forma pauperis, he has completed	
24	several of the sections with narrative responses in the Spanish language. It is not clear whether	
25	Plaintiff is fully able to read and write in the English language.	
26	The Court informs Plaintiff that all federal court filings must be in the English language.	
27	The Court cannot provide Plaintiff with translated documents, nor will it translate his documents	
28	from Spanish into English. It is in the discretion of prison officials to best determine how to	
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1	ensure that "inmates with language problems have a reasonably adequate opportunity to file	
2	nonfrivolous legal claims challenging their convictions or conditions of confinement." <u>Lewis v.</u>	
3	<u>Casey</u> , 518 U.S. 343, 356, 116 S. Ct. 2174, 2182, 135 L. Ed. 2d 606 (1996). The use of jailhouse	
4	lawyers is one recognized avenue available to ensure that non-English speaking and/or illiterate	
5	inmates have meaningful access to the courts. Id. at 356-57. (1996). In any event, Plaintiff must	
6	seek assistance at the prison if he cannot complete his court filings in English on his own. Id.	
7	Therefore, Plaintiff must re-submit a completed form in English if he wishes for his	
8	application to be considered.	
9	Accordingly, IT IS HEREBY ORDERED as follows:	
10	1. Plaintiff's motion to proceed in forma pauperis, filed December 23, 2016 (ECF	
11	No. 2) is DENIED, without prejudice;	
12	2. The Clerk of the Court is directed to serve this order and a blank IFP application	
13	for a prisoner on Plaintiff;	
14	3. Within forty-five (45) days from the date of service of this order, Plaintiff shall	
15	file the attached application to proceed in forma pauperis, completed and signed, or in the	
16	alternative, pay the \$400.00 filing fee for this action;	
17	4. No extension of time will be granted without a showing of good cause; and	
18	5. <u>The failure to comply with this order will result in dismissal of this action</u> ,	
19	without prejudice.	
20	IT IS SO ORDERED.	
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22	Dated: May 23, 2017 /s/ Barbara A. McAuliffe	
23	UNITED STATES MAGISTRATE JUDGE	
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