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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EARL D. SMITH,
Plaintiff,
v.
MARTINEZ, et al.,
Defendants.

CASE No. 1:17-cv-01092-MJS (PC)

**ORDER TO SUBMIT SIGNED
APPLICATION TO PROCEED IN FORMA
PAUPERIS OR PAY FILING FEE**

THIRTY (30) DAY DEADLINE

On August 14, 2017, Plaintiff initiated a civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) He also filed an application to proceed in forma pauperis. (ECF No. 2.) However, that application was, and remains, unsigned. (Id.)

The Court cannot consider unsigned filings. Therefore, Plaintiff’s application shall be stricken from the record. Fed. R. Civ. P. 11(a); Local Rule 131(b).

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff’s application to proceed in forma pauperis (ECF No. 2) is stricken from the record for lack of signature;
2. The Clerk’s Office shall send Plaintiff an application to proceed in forma pauperis;
3. Within **thirty (30) days** from the date of service of this Order, Plaintiff must

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either file a signed application to proceed in forma pauperis or pay the \$400.00 filing fee for this action; and

4. **Failure to comply with this Order may result in dismissal of this action.**

IT IS SO ORDERED.

Dated: August 18, 2017

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE