

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GERALD LEE MILLER,

Plaintiff,

V.

J. NAVARRO, et al.,

## Defendants.

Case No.: 1:17-cv-01309 SAB (PC)

ORDER DENYING APPLICATION TO  
PROCEED IN FORMA PAUPERIS,  
WITHOUT PREJUDICE

## **FORTY-FIVE (45) DAY DEADLINE**

Plaintiff Gerald Lee Miller is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on October 2, 2017.

On October 5, 2017, the Court issued an order requiring Plaintiff to either pay the \$400.00 filing fee for this action, or to submit an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

On October 25, 2017, Plaintiff timely filed an application requesting to proceed in forma pauperis, supported by a certified trust account statement. (ECF No. 6.) Question three (3) of the application requests that Plaintiff indicate whether he received money from any sources in the past twelve months. Plaintiff indicated that he had received gifts. The form then asks Plaintiff to describe the source of the gifts and state the amount received **and** what he expects to receive in the future, if anything. (Id. at 1.) Additional sheets may be attached, if necessary. However,

1 Plaintiff did not provide any of that information on the form or any attachment. The application  
2 must be completed with all requested information for the Court to properly consider Plaintiff's  
3 request.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's application to proceed in forma pauperis is denied, without prejudice;
- 6 2. The Clerk's Office shall send to Plaintiff an application to proceed in forma  
7 paupris for a prisoner;
- 8 3. Within forty-five (45) days of the date of service of this order, Plaintiff shall  
9 submit the attached application to proceed in forma pauperis, completed and signed, or in the  
10 alternative, pay the \$400.00 filing fee for this action; and
- 11 4. **No requests for extension will be granted without a showing of good cause.**

12 **Failure to comply with this order will result in dismissal of this action.**

13 IT IS SO ORDERED.

14 Dated: October 26, 2017



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UNITED STATES MAGISTRATE JUDGE

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