

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

RONALD J. CARROLL

Plaintiff.

V.

BRANDON PRICE,

Defendant.

Case No. 1:17-cv-01312-BAM (PC)

**ORDER GRANTING MOTION TO  
PROCEED IN FORMA PAUPERIS AS A  
NON-PRISONER**

(ECF No. 6)

ORDER DENYING MOTION TO PROCEED  
IN FORMA PAUPERIS AS A PRISONER AS  
MOOT

(ECF No. 2)

Plaintiff Ronald J. Carroll (“Plaintiff”) is a civil detainee appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 *et seq.* are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

Plaintiff initiated this action on October 2, 2017. That same day, Plaintiff submitted an application to proceed in forma pauperis by a prisoner. (ECF No. 2.) On October 4, 2017, the Court issued an order directing Plaintiff to either pay the \$400.00 filing fee or submit an application to proceed in forma pauperis on the appropriate form. (ECF No. 4.) Currently before the Court is Plaintiff's motion to proceed in forma pauperis as a non-prisoner, filed October 19, 2017. (ECF No. 6.)

1 Examination of these documents reveals that Plaintiff is unable to afford the costs of this  
2 action. Accordingly, the motion to proceed in forma pauperis as a non-prisoner, (ECF No. 6) is  
3 GRANTED. The motion to proceed in forma pauperis by a prisoner, (ECF No. 2) is DENIED as  
4 moot.

## IT IS SO ORDERED.

Dated: October 20, 2017

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE