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

HARLEY FINNEY,  
  
  Plaintiff,  
  
  v.  
  
B. PHI, et al,  
  
  Defendants.

Case No. 1:17-cv-01541-BAM (PC)  
  
ORDER DENYING MOTION TO PROCEED  
IN FORMA PAUPERIS WITHOUT  
PREJUDICE  
  
(ECF No. 2.)  
  
ORDER REQUIRING PLAINTIFF TO FILE  
COMPLETED APPLICATION TO PROCEED  
IN FORMA PAUPERIS OR PAY FILING FEE  
  
**FORTY-FIVE (45) DAY DEADLINE**

Plaintiff Harley Finney (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On November 20, 2017, Plaintiff filed a motion to proceed in forma pauperis. (ECF No. 2.) The application was incomplete. Plaintiff reported that over the last twelve months he has received rent payments, interest, or dividends, but he failed to clearly describe the source of the money, the amount received, and if he expected to receive additional amounts. Plaintiff also reported that he owns stocks/shares, but he failed to state the value of the property. (Id.)

Accordingly, IT IS HEREBY ORDERED that:

- 1. Within **forty-five days** from the date of service of this order, Plaintiff shall file the attached application to proceed in forma pauperis, completed and signed, or in the

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alternative, pay the \$400.00 filing fee for this action;

2. No extension of time will be granted without a showing of good cause; and

3. **The failure to comply with this order will result in dismissal of this action without prejudice.**

IT IS SO ORDERED.

Dated: November 22, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE