

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

RONNIE LEE,) Case No.: 1:18-cv-0247 -DAD- JLT
Plaintiff,)
v.) ORDER DIRECTING PLAINTIFF TO PAY THE
MARTHA P. EHLENBACH, et al.,) FILING FEE OR FILE A MOTION TO PROCEED
Defendants.) IN FORMA PAUPERIS
)
)
)
)

Plaintiff initiated this action by filing a complaint on February 20, 2018. As a general rule, all parties instituting any civil action, suit or proceeding in a United States District Court must pay a filing fee. 28 U.S.C. § 1915(a). However, the Court may authorize the commencement of an action without the filing fee “by a person who submits an affidavit that includes a statement of all assets such [person] possesses that the person is unable to pay such fees or give security therefore.” 28 U.S.C. § 1915(a)(1). Therefore, an action may proceed despite a failure to prepay the filing fee only if leave to proceed in forma pauperis is granted by the Court. *See Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999).

Plaintiff failed to pay the requisite filing fee or to file a motion to proceed *in forma pauperis*, and the matter cannot proceed before the Court at this time. Accordingly, the Court **ORDERS**:

1. Plaintiff **SHALL** pay the filing fee within 21 days of service of this order, *or*
2. In the alternative, Plaintiff **SHALL** file a motion to proceed in forma pauperis within

1 21 days of service.

2 3. Failure to comply with this order may result in dismissal of this action pursuant to
3 Local Rule 110.

4

5 IT IS SO ORDERED.

6 Dated: March 12, 2018

7 /s/ Jennifer L. Thurston
8 UNITED STATES MAGISTRATE JUDGE

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28