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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAREEM J. HOWELL,

Case No. 1:19-cv-01180-AWI-SKO

Plaintiff,

v.

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE AND
FAILURE TO OBEY COURT ORDERS**

KEVIN COOK, Kings County Deputy District
Attorney, STEVEN NGUYEN, Kings County
Deputy District Attorney, and KEITH
FAGUNDES, Kings County District Attorney,

THIRTY-DAY DEADLINE

(Doc. 3)

Defendants.

Plaintiff is a prisoner proceeding pro se and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (Docs. 1, 2.) Under 28 U.S.C. § 1915(a)(2), Plaintiff, as a state prisoner, has the obligation to ensure that a copy of his prisoner's trust fund account statement, showing all account activity for the 6 months immediately preceding the filing of the complaint, is submitted with his application to proceed in forma pauperis. Plaintiff has failed to submit a copy of his prisoner's trust fund account statement, as required by § 1915(a)(2), and has offered no explanation for his failure to include the statement.

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On September 4, 2019, the Court directed Plaintiff to submit his prisoner's trust fund account statement within 21 days from the date of service of the order. (Doc. 3.) To date, Plaintiff has not submitted his prisoner's trust fund account statement and has not offered any reason for his failure to do so.

In light of Plaintiff's failure to submit his prisoner's account statement as required by 28 U.S.C. § 1915, and his failure to obey the Court's September 4, 2019 order, **Plaintiff is ORDERED to show cause, in writing, within thirty (30) days of the date of service of this Order, why a recommendation should not issue for Plaintiff's complaint to be dismissed for failure to prosecute and failure to comply with court orders.** Alternatively, within thirty (30) days of the date of service of this Order, Plaintiff may either (1) submit his prisoner's trust fund account statement showing all account activity for the 6 months immediately preceding the filing of the complaint, or (2) pay the \$400 filing fee.

Plaintiff is advised that if he fails to respond to this Order by the deadline set forth above, the Court will recommend to the assigned district judge that Plaintiff's complaint be dismissed for failure to prosecute and failure to comply with court orders.

IT IS SO ORDERED.

Dated: October 8, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE