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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 JOSE ORTIZ,

12 Plaintiff,

13 v.

14 FANNY ORTIZ, et al.,

15 Defendants.
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Case No. 1:19-cv-01416-AWI-SAB

ORDER STRIKING UNSIGNED APPLICATION
TO PROCEED *IN FORMA PAUPERIS* AND
REQUIRING PLAINTIFF TO FILE SIGNED
APPLICATION TO PROCEED *IN FORMA*
PAUPERIS OR PAY THE FILING FEE

(ECF No. 2)

THIRTY DAY DEADLINE

18 Jose Ortiz ("Plaintiff") is proceeding *pro se* in this civil rights action pursuant to 42
19 U.S.C. § 1983. On October 8, 2019, Plaintiff filed a complaint in this action. Along with
20 Plaintiff's complaint, he filed an unsigned application to proceed *in forma pauperis*.

21 Unsigned documents cannot be considered by the Court, and Plaintiff's application to
22 proceed *in forma pauperis* shall be stricken from the record on that ground. Fed. R. Civ. P. 11(a);
23 Local Rule 131(b).

24 Plaintiff is required to either pay the filing fee or file a signed application demonstrating
25 that he is entitled to proceed in this action without prepayment of the filing fee.

26 Accordingly, IT IS HEREBY ORDERED that:

- 27 1. Plaintiff's unsigned application to proceed *in forma pauperis*, filed October 8,
28 2019, is STRICKEN FROM THE RECORD;

- 1 2. The Office of the Clerk is directed to provide Plaintiff with an application to
2 proceed in forma pauperis by a prisoner;
3 3. Within thirty (30) days from the date of service of this order, Plaintiff shall file the
4 attached application to proceed *in forma pauperis*, completed and signed, or in the
5 alternative, pay the \$400.00 filing fee for this action; and
6 4. The failure to comply with this order will result in dismissal of this action, without
7 prejudice.

8
9 IT IS SO ORDERED.

10 Dated: **October 10, 2019**


UNITED STATES MAGISTRATE JUDGE