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4 **UNITED STATES DISTRICT COURT**5 **EASTERN DISTRICT OF CALIFORNIA**6
7 **KEVIN L. MILLER,**8 **Plaintiff,**9 **v.**10 **COMMISSIONER OF THE STATE OF**
11 **CALIFORNIA DEPARTMENT OF**
12 **CORRECTIONS, et al.,**13 **Defendants.**

Case No. 1:21-cv-00176-BAM (PC)

**ORDER TO SUBMIT APPLICATION TO
PROCEED *IN FORMA PAUPERIS* OR PAY
FILING FEE WITHIN 45 DAYS****FORTY-FIVE (45) DAY DEADLINE**14 Plaintiff Kevin L. Miller ("Plaintiff") is a county jail inmate proceeding *pro se* in this civil
15 rights action under 42 U.S.C. § 1983. Plaintiff has not paid the \$402.00 filing fee, or submitted
16 an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

17 Accordingly, IT IS HEREBY ORDERED that:

18 Within **forty-five (45) days** of the date of service of this order, Plaintiff shall submit the
19 attached application to proceed *in forma pauperis*, completed and signed, or in the alternative,
20 pay the \$402.00 filing fee for this action. **No requests for extension will be granted without a**
21 **showing of good cause. Failure to comply with this order will result in dismissal of this**
22 **action.**23
24 IT IS SO ORDERED.25 Dated: **February 16, 2021**/s/ **Barbara A. McAuliffe**

26 UNITED STATES MAGISTRATE JUDGE