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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GEOVANNI PENA,  
Plaintiff,  
v.  
UNITED STATES, et al.,  
Defendants.

1:21-cv-00833-GSA (PC)

**ORDER TO SUBMIT APPLICATION  
TO PROCEED IN FORMA PAUPERIS  
OR PAY FILING FEE WITHIN 45 DAYS**

Plaintiff is a federal prisoner proceeding *pro se* in a civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff has not paid the \$402.00 filing fee or submitted an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk’s Office shall send to plaintiff the form for application to proceed *in forma pauperis*.
2. Within forty-five (45) days of the date of service of this order, plaintiff shall submit the attached application to proceed *in forma pauperis*, completed and signed, or in the alternative, pay the \$402.00 filing fee for this action. **Failure to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: June 3, 2021

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE