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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KENNETH R. WALTON,

11 Plaintiff,

No. CIV S-06-1967 LKK CMK P

12 vs.

13 JAMES TILTON, et al.,

14 Defendants.

ORDER

15 _____/

16 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant
17 to 42 U.S.C. § 1983. Plaintiff has not, however, filed an in forma pauperis affidavit or paid the
18 required filing fee. See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the
19 opportunity either to submit the appropriate affidavit in support of a request to proceed in forma
20 pauperis or to submit the appropriate filing fee.


21 In accordance with the above, IT IS HEREBY ORDERED that:

22 1. Plaintiff shall submit, within thirty days from the date of this order, an
23 affidavit in support of his request to proceed in forma pauperis on the form provided by the Clerk
24 of Court, or the appropriate filing fee; plaintiff's failure to comply with this order will result in
25 the dismissal of this action; and

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1 2. The Clerk of the Court is directed to send plaintiff a new Application to
2 Proceed In Forma Pauperis By a Prisoner.

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4 DATED: September 12, 2006.

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7 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE

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walt 06cv1967.3a