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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMUEL ANDERSON,

Plaintiff,

No. CIV S-07-1061 GEB GGH P

vs.

HIGH DESERT STATE PRISON,

Defendant.

ORDER

_____/

Plaintiff, a state prisoner at High Desert State Prison, has filed a letter directed to the Clerk of the Court, in which he complains, inter alia, of numerous medical conditions from which he suffers and wherein he evidently seeks to file charges against the California Department of Corrections and Rehabilitation.¹ No other pleadings have been filed by the plaintiff. In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure, and plaintiff must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis.² See 28 U.S.C. §§ 1914(a), 1915(a). The court will not issue any orders granting or denying relief until an action has been properly commenced.

¹ Plaintiff may file an action, pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights with regard to his conditions of confinement but he is not empowered to file criminal charges.

² If leave to file in forma pauperis is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments.

1 Plaintiff will be provided the opportunity to file his complaint, and to submit an application
2 requesting leave to proceed in forma pauperis or to submit the appropriate filing fee.

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

4 1. Plaintiff is granted thirty days from the date of service of this order to file a
5 complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil
6 Procedure, and the Local Rules of Practice; the complaint must bear the docket number assigned
7 this case; plaintiff must file an original and two copies of the complaint. Plaintiff shall also
8 submit, within thirty days from the date of this order, the application to proceed in forma
9 pauperis on the form provided by the Clerk of Court, or the filing fee in the amount of \$350.00.
10 Plaintiff's failure to comply with this order will result in a recommendation that this matter be
11 dismissed; and

12 2. The Clerk of the Court is directed to send plaintiff the court's form for filing a
13 civil rights action, and the application to proceed in forma pauperis by a prisoner.

14 DATED: 6/25/07

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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