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

DA'SHAWN CUNNINGHAM,

No. CIV S-07-2059-LEW-CMK-P

Plaintiff,

vs.

ORDER

ADER, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not, however, filed an application to proceed in forma pauperis or paid the required filing fee. See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the opportunity to submit either a completed application to proceed in forma pauperis or the appropriate filing fee. Plaintiff is warned that failure to comply with this order may result in the dismissal of this action. See Local Rule 11-110.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall submit on the form provided by the Clerk of the Court, within 30 days from the date of this order, a complete application for leave to proceed in forma pauperis, including the required affidavits and certifications, or the appropriate filing fee; and

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

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4 DATED: October 4, 2007

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