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

ROBERT LACEY,

2:07-cv-2254-LDG

Plaintiff,

v.

**ORDER**

J. TORRUELLA, et al.,

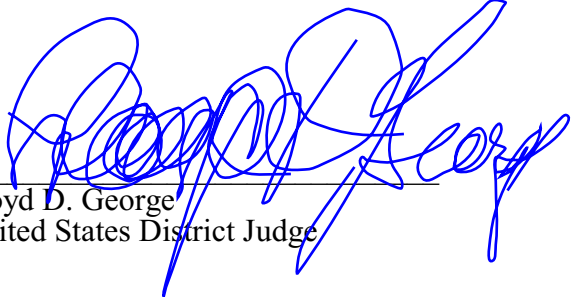
Defendant.

Plaintiff Robert Lacey submitted his complaint and application to proceed in forma pauperis (#1 and #2) on October 22, 2007. On April 9, 2008, Magistrate Judge Brennan subsequently issued an order indicating that the application was deficient because it did not contain “a certified copy of the trust fund account statement for plaintiff for the 6-month period immediately preceding the filing of the complaint . . . , obtained from the appropriate official of each prison at which the prisoner is or was confined.” (#5) On April 24, 2008, plaintiff submitted a new application for leave to proceed in forma pauperis (#6), but failed to comply with the section 1915(a)(2) requisite that the trust account statement be “for the 6-month period immediately preceding the filing of the complaint.” Instead, he submitted a statement for the 6-month period of October 1, 2007, until April 15, 2008. Accordingly, Magistrate Judge Brennan granted plaintiff thirty days to file an account statement for the appropriate period, and directed that failure to comply with his order would result in the recommendation that the action be dismissed (#7). On August 11, 2008, plaintiff filed his third document in support of the request to proceed in forma pauperis (#8). A review of that document indicates that the trust fund account statement reported

1 the incorrect period of January 1, 2008, through July 30, 2008; again failing to comply with the  
2 court's order. Accordingly,

3 THE COURT HEREBY ORDERS that this action is DISMISSED.

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5 DATED this 30 day of September, 2013.

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Lloyd D. George  
United States District Judge