

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

HUGO ORTIZ,

Plaintiff, No. CIV S-08-0054 LEW JFM H

VS.

JAMES E. TILTON, et al.,

Defendants. ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On January 18, 2008, plaintiff was directed to submit an application to proceed in forma pauperis. Plaintiff has now filed a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, obtained the certification required on the application form nor has he filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit the completed application and the certified copy in support of his application to proceed in forma pauperis.

11111

|||||

1111

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

1. Plaintiff shall submit, within thirty days from the date of this order, a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint and the certification required on the application form. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

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

DATED: February 6, 2008.

John J. Moulton
UNITED STATES MAGISTRATE JUDGE

12/mp
orti0054.3e