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

ANTHONY FUIMAONO,

Plaintiff,

No. CIV S-08-1198 FCD EFB P

vs.

FAIRFIELD POLICE DEPARTMENT,
et al.,

Defendants.

ORDER

Plaintiff, a prisoner without counsel, has filed a complaint alleging civil rights violations. See 42 U.S.C. § 1983. He has submitted an affidavit requesting leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1).


Section 1915(a)(2) requires “a prisoner seeking to bring a civil action without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner 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.” Plaintiff has not submitted the required trust account statement or the institutional equivalent. Therefore, the court cannot accept the application for leave to proceed *in forma pauperis* in its current form.

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Accordingly, plaintiff has 30 days from the date this order is served to submit the required trust account statement. The Clerk of the Court shall send to plaintiff the form application for leave to proceed *in forma pauperis* used in this court. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed.

So ordered.

Dated: January 28, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE