

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

WILLIAM JAMES,

Plaintiff, No. CIV S-08-1812 EFE

VS.

SACRAMENTO COUNTY
SHERIFF'S 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 a certified copy of his trust account statement or the institutional equivalent.

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1 He asserts that officers have refused to comply with the certification requirement. However, he
2 has not submitted any evidence that he attempted to obtain the certification or identify the
3 officers who refused to assist him in this regard. Therefore, the court cannot accept the *in forma*
4 *pauperis* application in its current form.

5 Accordingly, plaintiff has 30 days from the date this order is served to submit the
6 required trust account statement or institutional equivalent. The Clerk of the Court shall send to
7 plaintiff the form application for leave to proceed *in forma pauperis* used in this court.
8 Plaintiff's failure to comply with this order may result in this action being dismissed.

9 So ordered.

10 Dated: January 28, 2009.


11 EDMUND F. BRENNAN
12 UNITED STATES MAGISTRATE JUDGE
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