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

Moody Woodrow Tanksley, et. al.,

No. 2:08-CV-02216-SRT

Plaintiffs,

vs.

ORDER

California Department of Corrections,
et. al.,

Defendants.

_____/

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. However, plaintiff has failed to comply with the Order filed April 3, 2009, and the certificate portion of the request which must be completed by plaintiff's institution of incarceration has not been filled out. The certificate portion is located at the bottom of the second page on the Application to Proceed In Forma Pauperis by a Prisoner form. That portion *must* be filled out by the institution of incarceration or the application cannot be granted and the action will be dismissed with prejudice. Plaintiff must therefore ensure that the certificate portion is filled

1 out when he files his application. Also, plaintiff has not filed a certified copy of his prison trust
2 account statement for the six month period immediately preceding the filing of the complaint. See
3 28 U.S.C. § 1915(a)(2). Plaintiff must file a certified copy of his prison trust account statement or
4 his application to proceed in forma pauperis will not be granted. Plaintiff will be provided the
5 opportunity to submit a completed in forma pauperis application and a certified copy in support of
6 his application.

7 ////

8 ////

9 ////

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

11 1. Within thirty days from the date of this order, plaintiff shall complete the
12 attached Notice of Submission and submit the following documents to the court:

13 a. A complete Application to Proceed In Forma Pauperis By a Prisoner;
14 and

15 b. a certified copy of plaintiff's prison trust account statement for the six
16 month period immediately preceding the filing of the complaint.

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

19 3. Plaintiff's failure to comply with this order will result in this action being
20 dismissed with prejudice.

21
22 IT IS SO ORDERED.

23 DATED: April 20, 2009

/s/ Sidney R. Thomas

24 Sidney R. Thomas, United States Circuit Judge
25 Sitting by Designation
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Plaintiff,

No. 2:#cv-

vs.

NOTICE OF SUBMISSION

Defendants.

_____ /

Plaintiff hereby submits the following document in compliance with the court's
order filed _____ :

Account _____

Complete Application to Proceed In Forma Pauperis
By a Prisoner/Certified Copy of Prison Trust
Statement

DATED:

Plaintiff
