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

BERLAN LYNELL DICEY,

Plaintiff,

No. 2:08-cv-2608 JFM (PC)

vs.

W.R. HARRISON, et al.,

Defendants.

ORDER

_____ /

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, the certificate portion of the request which must be completed by plaintiff's institution of incarceration has not been filled out. Also, plaintiff has not 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 a completed in forma pauperis application and a certified copy in support of his application.

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

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

4 a. A complete Application to Proceed In Forma Pauperis By a Prisoner;
5 and

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

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

10 3. Plaintiff's failure to comply with this order will result in a recommendation
11 that this action be dismissed without prejudice.

12 DATED: January 14, 2009.

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15 UNITED STATES MAGISTRATE JUDGE

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

BERLAN LYNELL DICEY,

Plaintiff,

No. 2:08-cv-2608-JFM (PC)

vs.

W. R. HARRISON, et al.,

NOTICE OF SUBMISSION

Defendants.

_____ /

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

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

DATED:

Plaintiff