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

10 MAILLARD L. KING,

11 Plaintiff,

No. CIV S-09-0118 DAD P

12 vs.

13 SOLANO STATE PRISON MEDICAL
14 FACILITY,

15 Defendant.

ORDER

16 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant
17 to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis. Plaintiff has
18 not submitted his in forma pauperis request on a proper form.

19 Plaintiff's request for leave to proceed in forma pauperis will be denied, and
20 plaintiff will be granted thirty days to submit a new request on a proper form. Plaintiff is
21 cautioned that the form includes a section that must be completed by a prison official, and the
22 application form must be accompanied by a certified copy of plaintiff's prison trust account
23 statement for the six-month period immediately preceding the filing of this action.

24 Accordingly, IT IS HEREBY ORDERED that:

25 1. Plaintiff's July 23, 2008 request for leave to proceed in forma pauperis
26 (Docket No. 6) is denied without prejudice;

2. The Clerk of the Court is directed to send plaintiff an Application to Proceed In Forma Pauperis By a Prisoner for use in a civil rights action; and

3. Plaintiff shall submit, within thirty days from the date of this order, a properly completed application to proceed in forma pauperis on the form provided with this order; plaintiff is cautioned that failure to comply with this order or seek an extension of time to do so will result in a recommendation that this action be dismissed without prejudice.

DATED: January 16, 2009.

Dale A. Drozd
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:mp
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