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

MARIO T. DIVER,

Plaintiff,

No. CIV S-09-0119 EFB P

vs.

SACRAMENTO COUNTY  
SHERIFF'S DEPARTMENT, et al.,

Defendants.

ORDER

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Plaintiff, is a state prisoner proceeding without counsel in an action brought under 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.”

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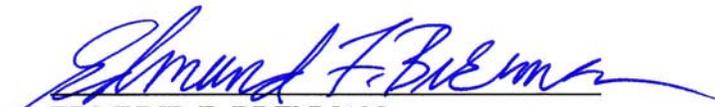
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1 Plaintiff has not submitted the required trust account statement. Also, the certificate portion of  
2 the request which must be completed by plaintiff's institution of incarceration has not been filled  
3 out.

4 Accordingly, plaintiff has 30 days from the date this order is served to submit the  
5 required certificate and trust account statement. The Clerk of the Court is directed to send  
6 plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner. Failure to comply with  
7 this order will result in this action being dismissed.

8 So ordered.

9 DATED: January 23, 2009.

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11 EDMUND F. BRENNAN  
12 UNITED STATES MAGISTRATE JUDGE  
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