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

ARMANDO HERRERA,

Plaintiff,

No. CIV S-09-0125 KJM P

vs.

SUE HUBBARD, 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 of his prison trust account statement.

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

2 1. Plaintiff shall submit, within thirty days from the date of this order, a
3 completed affidavit in support of his request to proceed in forma pauperis on the form provided
4 by the Clerk of Court;

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

7 3. Plaintiff shall submit, within thirty days from the date of this order, a certified
8 copy of his prison trust account statement for the six month period immediately preceding the
9 filing of the complaint. Plaintiff's failure to comply with this order will result in a
10 recommendation that this action be dismissed without prejudice.

11 DATED: January 29, 2009.

12 
13 U.S. MAGISTRATE JUDGE

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