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

KEVIN GALIK,

Plaintiff,

No. CIV S-09-0152 EFB P

vs.

A. NAMGALAMA, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a prisoner without counsel, has filed a complaint alleging civil rights violations. See 42 U.S.C. §1983. He also has submitted \$150 to the Clerk of the Court.

To proceed with a civil action a plaintiff must pay the \$350 filing fee required by 28 U.S.C. § 1914(a) or request leave to proceed *in forma pauperis* and submit the affidavit and trust account statement required by 28 U.S.C. § 1915(a). Prisoners challenging the conditions of their confinement who obtain leave to proceed *in forma pauperis* must pay the entire filing fee. See 28 U.S.C. § 1915(b). However, they may pay it in increments by having payments deducted from their prison trust accounts and sent directly to the Clerk of the Court. *Id.* Accordingly, to pursue this action, plaintiff must either submit the entire balance of the fee or submit an application for leave to proceed *in forma pauperis*.

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1 Accordingly, plaintiff has 30 days from the date of service of this order to submit either
2 the balance of the filing fee he owes to this court, or an application for leave to proceed *in forma*
3 *pauperis*. In order for the application to be deemed complete, plaintiff must either have prison
4 officials complete the certificate portion of the form or send the court a certified copy of his
5 prison trust account activity for the six months immediately preceding the filing of the
6 complaint. The Clerk of the Court is directed to mail to plaintiff a form application for leave to
7 proceed *in forma pauperis*. Failure to comply with this order may result in this action being
8 dismissed.

9 So ordered.

10 Dated: July 22, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE