

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

ISAIAH EDWARD GRANT,

Plaintiff,

No. CIV S-09-0226 GGH P

VS.

UNITED STATES OF AMERICA,

Defendant.

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil action requesting that the court issue a certificate of loss of nationality. Plaintiff has not, however, filed an in forma pauperis affidavit or paid the required filing fee. See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the opportunity either to submit the appropriate affidavit in support of a request to proceed in forma pauperis or to submit the appropriate filing fee.

In this action, plaintiff requests that the court issue a certificate of loss of nationality. Plaintiff states that he intends to relinquish his United States citizenship so that he may become a citizen of the Netherlands. Plaintiff is informed that the Department of State has the authority to issue certificates of loss of nationality. See Duncan v. U.S. Dept. of States, 2008 W.L. 4821323 (W.D.Va. 2008). Therefore, a request for a certificate of loss of nationality must be made directly to the Department of State. Because the court does not have the authority to

1 order the relief sought, this action will be dismissed on this ground should plaintiff file his in
2 forma pauperis application.

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

4 1. Plaintiff shall submit, within thirty days from the date of this order, an affidavit
5 in support of his request to proceed in forma pauperis on the form provided by the Clerk of
6 Court, or the appropriate filing fee; plaintiff's failure to comply with this order will result in the
7 dismissal of this action; and

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

10 DATED: February 6, 2009

11 /s/ Gregory G. Hollows

12 UNITED STATES MAGISTRATE JUDGE

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