

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

DAVID E. EDWARDS, et al., No. CIV S-09-0275-CMK-F

Plaintiffs,

VS.

ORDER

CSP SOLANO, et al.,

Defendants.

Plaintiffs, who are proceeding pro se, bring this civil rights action pursuant to 42 U.S.C. § 1993. Plaintiff David E. Edwards has submitted an application for leave to proceed in forma pauperis or paid the required filing fee. Plaintiff Jonathan Edwards has not submitted an application in forma pauperis or paid the required filing fee. Plaintiff David E. Edwards' application is deficient in that he has not submitted a certified copy of his prison trust account balance for the six-month period immediately preceding the filing of the complaint, or paid the filing fee. See 28 U.S.C. §§ 1914(a), 1915(a), (a)(2). Plaintiffs will be provided the opportunity to submit either a completed application as to plaintiff David E. Edwards and an application for leave to proceed in forma pauperis as to plaintiff Jonathan Edwards.

¹ Plaintiff David E. Edwards is a state prisoner. Plaintiff Jonathan Edwards is not incarcerated.

1 application for a non-prisoner as to plaintiff Jonathan Edwards, or pay the appropriate filing fee.
2 If plaintiffs wish to proceed in forma pauperis, they must both submit completed applications.
3 Plaintiffs are warned that failure to resolve the fee status of this case within the time provided
4 may result in the dismissal of this action for lack of prosecution and failure to comply with court
5 rules and orders. See Local Rule 11-110.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Plaintiffs shall submit on the forms provided by the Clerk of the Court,
8 within 30 days from the date of this order, complete applications for leave to proceed in forma
9 pauperis, with the required certified copy of his prison trust account statement as to plaintiff
10 David E. Edwards, or the appropriate filing fee; and

11 2. The Clerk of the Court is directed to send plaintiff David E. Edwards a
12 new form Application to Proceed In Forma Pauperis By a Prisoner and to send plaintiff Jonathan
13 Edwards an application for non-prisoners.

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15 DATED: February 5, 2009

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17 CRAIG M. KELLISON
18 UNITED STATES MAGISTRATE JUDGE
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