

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

BRIAN FOWLIE,

Plaintiff, No. CIV S-09-0881 EFB P

VS.

J. HAVILAND,

Defendant. ORDER

Plaintiff, a prisoner without counsel, has filed a complaint alleging civil rights violations.

See 42 U.S.C. §1983.

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 statement required by 28 U.S.C. § 1915(a).

Plaintiff has neither paid the fee nor submitted a proper application for leave to proceed in forma pauperis.

Accordingly, plaintiff has 30 days from the date of service of this order to submit either the filing fee or the application required by § 1915(a). The Clerk of the Court is directed to mail

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1 to plaintiff a form application for leave to proceed in forma pauperis. Failure to comply with this
2 order will result in a recommendation that this action be dismissed.

3 So ordered.

4 DATED: April 13, 2009.


5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE

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