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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 TRAVIS DEE TIPPETTS,

No. CIV S-09-1434-FCD-CMK

12 Plaintiff,

13 vs.

ORDER

14 BUTTE COUNTY SHERIFF'S
15 DEPT., et al.,

16 Defendants.
_____ /

17 Plaintiff, proceeding with retained counsel, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. On May 23, 2009, Plaintiff filed an application to proceed in forma
19 pauperis (Doc. 2). The court issued an order requiring additional documentation on June 25,
20 2009. Reviewing Plaintiff's application, it has come to the court's attention that Plaintiff is not a
21 prisoner, and is therefore not required to obtain a certified copy of a prisoner trust fund account
22 statement.

23 Plaintiff has submitted the affidavit required by 28 U.S.C. § 1915(a) showing that
24 plaintiff is unable to prepay fees and costs or give security therefor. His request for leave to
25 proceed in forma pauperis will be granted. Plaintiff's complaint, and service thereof by the
26 United States Marshal if appropriate, will be addressed separately. The Clerk of the Court shall

1 not issue summons or set this matter for an initial scheduling conference unless specifically
2 directed by the court to do so. See 28 U.S.C. § 1915(e)(2).

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The June 25, 2009, order for additional documentation (Doc. 5) is vacated;
5 and
6 2. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is
7 granted.

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9 DATED: July 27, 2009

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11 **CRAIG M. KELLISON**
12 UNITED STATES MAGISTRATE JUDGE
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