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| 8  | IN THE UNITED STATES DISTRICT COURT  |
| 9  | FOR THE EASTERN DISTRICT OF CALIFORNIA   |
| 10 | ISAAC KELLEY,  |
| 11 | Plaintiff, No. CIV S-09-1679 DAD P   |
| 12 | VS.  |
| 13 | GRASS VALLEY POLICE<br>DEPARTMENT, et al.,   |
| 14 |  |
| 15 | Defendants. <u>ORDER</u>   |
| 16 | Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to             |
| 17 | 42 U.S.C. § 1983. Although plaintiff has filed an application to proceed in forma pauperis,        |
| 18 | plaintiff's application does not include a certified copy of plaintiff's prison trust account      |
| 19 | statement for the six-month period immediately preceding the filing of the complaint in this       |
| 20 | action or a prison official's certification. See 28 U.S.C. § 1915(a)(2). Plaintiff's incomplete    |
| 21 | application will be denied with leave to file a properly completed application to proceed in forma |
| 22 | pauperis.  |
| 23 | Accordingly, IT IS HEREBY ORDERED that:  |
| 24 | 1. Plaintiff's motion to proceed in forma pauperis (Doc. No. 8) is denied without                  |
| 25 | prejudice;   |
| 26 | /////  |
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| 1  | 2. Plaintiff shall submit, within thirty days from the date of this order a properly                  |
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| 2  | completed in forma pauperis application that includes a certified copy of plaintiff's prison trust    |
| 3  | account statement for the six-month period immediately preceding the filing of the complaint in       |
| 4  | this action and a prison official's certification; plaintiff is cautioned that failure to comply with |
| 5  | this order or seek an extension of time to do so will result in a recommendation that this action be  |
| 6  | dismissed without prejudice; and  |
| 7  | 3. The Clerk of the Court is directed to send plaintiff an Application to Proceed                     |
| 8  | In Forma Pauperis By a Prisoner for use in a civil rights action.                                     |
| 9  | DATED: September 4, 2009.   |
| 10 | 2   |
| 11 | Dale A. Dropt   |
| 12 | UNITED STATES MAGISTRATE JUDGE  |
| 13 | DAD:9<br>kell1679.3e  |
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