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

EDWARD ANTONIO BATTISTE,

Plaintiff,

No. CIV S-09-2053 GGH P

vs.

B. VELASQUEZ, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. However, the certificate portion of the request which must be completed by plaintiff's institution of incarceration has not been filled out. Also, plaintiff has not filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a completed in forma pauperis application and a certified copy in support of his application.

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

2 1. Plaintiff shall submit, within thirty days from the date of this order, a  
3 completed affidavit in support of his request to proceed in forma pauperis on the form provided  
4 by the Clerk of Court;

5 2. The Clerk of the Court is directed to send plaintiff a new Application to  
6 Proceed In Forma Pauperis By a Prisoner; and

7 3. Plaintiff shall submit, within thirty days from the date of this order, a certified  
8 copy of his prison trust account statement for the six month period immediately preceding the  
9 filing of the complaint. Plaintiff's failure to comply with this order will result in a  
10 recommendation that this action be dismissed without prejudice.

11 DATED: August 3, 2009

12 /s/ Gregory G. Hollows  
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14 GREGORY G. HOLLOWES  
15 UNITED STATES MAGISTRATE JUDGE

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