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

CHESTER JOHNSON,

Plaintiff,

No. CIV S-09-2076 EFB P

vs.

J. LEE, et al.

Defendants.

ORDER

_____ /

Plaintiff, a prisoner without counsel, has filed a complaint alleging civil rights violations. See 42 U.S.C. § 1983. He has submitted an affidavit requesting leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1).

Section 1915(a)(2) requires “a prisoner seeking to bring a civil action without prepayment of fees or security therefor, in addition to filing the affidavit filed under paragraph (1), shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint . . . , obtained from the appropriate official of each prison at which the prisoner is or was confined.” Plaintiff has submitted a copy of his trust account statement, but it is not certified as required by the statute. He may comply with § 1915(a)(2) by having prison officials complete the “Certificate” portion of the form application for leave to proceed *in forma pauperis* or submitting

1 a trust account statement for the 6-month period immediately preceding the filing of his
2 complaint that has been certified by prison officials.

3 Accordingly, plaintiff has 30 days from the date this order is served to submit the
4 required trust account statement. Failure to comply with this order will result in a
5 recommendation that this action be dismissed. The Clerk of the court is directed to send to
6 plaintiff a new form Application to Proceed In Forma Pauperis by a Prisoner.

7 So ordered.

8 Dated: August 25, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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