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

ALAMIN SAMAD,

Plaintiff,

No. CIV S-09-2425 GEB EFB P

vs.

STEPHANIE M. ADRAKTAS, et al.,

Defendants.

ORDER

_____ /

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

However, petitioner has not submitted the affidavit and trust account statement required by 28 U.S.C. § 1915(a). 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 not submitted an affidavit, nor has he submitted a certified copy of his trust account statement or the institutional equivalent.

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

5 So ordered.

6 DATED: October 29, 2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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