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

MARCUS RUBEN ELLINGTON,

Plaintiff,

No. 2:09-cv-2985 JFM (PC)

vs.

DIRECTOR OF CORRECTIONS, 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. Within thirty days from the date of this order, plaintiff shall complete the  
3 attached Notice of Submission and submit the following documents to the court:

4 a. A complete Application to Proceed In Forma Pauperis By a Prisoner;  
5 and

6 b. a certified copy of plaintiff's prison trust account statement for the six  
7 month period immediately preceding the filing of the complaint.

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

10 3. Plaintiff's failure to comply with this order may result in the dismissal of this  
11 action without prejudice.

12 DATED: November 4, 2009.

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15 UNITED STATES MAGISTRATE JUDGE

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

Plaintiff,  
vs.  
Defendants.

No. 2:#cv-

NOTICE OF SUBMISSION

\_\_\_\_\_  
Plaintiff hereby submits the following document in compliance with the court's  
order filed \_\_\_\_\_:

Complete Application to Proceed In Forma Pauperis  
By a Prisoner/Certified Copy of Prison Trust Account  
Statement

DATED:

\_\_\_\_\_  
Plaintiff