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

HON LAU,

Plaintiff,

No. CIV S-10-0297 DAD P

vs.

CALIFORNIA GOVERNMENT
CODE 68635,

Defendant.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On April 20, 2010, plaintiff was directed to submit an application to proceed in forma pauperis. In response to the court’s order, plaintiff has filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

Plaintiff’s in forma pauperis application does not include a certified copy of plaintiff’s prison trust account statement for the six-month period immediately preceding the filing of the complaint in this action and a prison official’s certification. See 28 U.S.C. § 1915(a)(2). Plaintiff’s incomplete application will be denied with leave to file a properly completed application to proceed in forma pauperis.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's April 29, 2010 application to proceed in forma pauperis (Docket No. 14) is denied without prejudice;
2. Plaintiff shall submit, within thirty days from the date of this order a properly completed in forma pauperis application that includes a certified copy of plaintiff's prison trust account statement for the six-month period immediately preceding the filing of the complaint in this action and a prison official's certification; plaintiff is cautioned that failure to comply with this order or seek an extension of time to do so will result in a recommendation that this action be dismissed without prejudice; and
3. The Clerk of the Court is directed to send plaintiff an Application to Proceed In Forma Pauperis By a Prisoner for use in a civil rights action.

DATED: May 5, 2010.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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