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

DAVID EDWARDS,

Plaintiff,

No. CIV S-10-0298 DAD P

vs.

N. GRANNIS, 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.

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 or 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.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff’s application to proceed in forma pauperis (Doc. No. 2) is denied without prejudice;

1 2. Plaintiff shall submit, within thirty days from the date of this order a properly
2 completed in forma pauperis application that includes a certified copy of plaintiff's prison trust
3 account statement for the six-month period immediately preceding the filing of the complaint in
4 this action and a prison official's certification; plaintiff is cautioned that failure to comply with
5 this order or seek an extension of time to do so will result in a recommendation that this action be
6 dismissed without prejudice; and

7 3. The Clerk of the Court is directed to send plaintiff an Application to Proceed
8 In Forma Pauperis By a Prisoner for use in a civil rights action.

9 DATED: February 12, 2010.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE