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

WILLIAM JAMES,

Plaintiff,

No. CIV S-10-0664 MCE DAD P

vs.

COUNTY OF SACRAMENTO, 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 an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.¹ Plaintiff has not submitted his in forma pauperis request on a proper form.

Plaintiff’s request for leave to proceed in forma pauperis will be denied, and plaintiff will be granted thirty days to submit a new request on a proper form. Plaintiff is cautioned that the form includes a section that must be completed by a prison official, and the application form must be accompanied by a certified copy of plaintiff’s prison trust account statement for the six-month period immediately preceding the filing of this action.

¹ On April 6, 2010, the court issued findings and recommendations that this action be dismissed due to plaintiff’s failure to keep the court apprised of his current address. Plaintiff subsequently filed timely objections, providing the court with his current address. Accordingly, as ordered below, the court will vacate its April 6, 2010 findings and recommendations.

1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations filed on April 6, 2010 (Doc. No. 6) are
3 vacated;
- 4 2. Plaintiff's March 19, 2010 motion for leave to proceed in forma pauperis (Doc.
5 No. 3) is denied without prejudice;
- 6 3. The Clerk of the Court is directed to send plaintiff an Application to Proceed
7 In Forma Pauperis By a Prisoner for use in a civil rights action; and
- 8 4. Plaintiff shall submit, within thirty days from the date of this order, a properly
9 completed in forma pauperis application on the form provided with this order; plaintiff is
10 cautioned that failure to comply with this order or seek an extension of time to do so will result
11 in a recommendation that this action be dismissed without prejudice.

12 DATED: April 28, 2010.

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16 DALE A. DROZD
17 UNITED STATES MAGISTRATE JUDGE
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