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

FREDERIC MILLER,  
Plaintiff,

vs.

CIV S-10-834 LKK KJM PS

DENNIS JONES,  
Defendant.

ORDER

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Plaintiff has not paid the fee ordinarily required to file an action in this court, and has filed an incomplete application to proceed without prepayment of fees. See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff states he is currently employed but does not state the amount of his income and does not state the amounts in his checking and savings accounts. Plaintiff will be provided the opportunity to submit either the appropriate affidavit in support of a request to proceed in forma pauperis or the appropriate filing fee.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff shall submit, within twenty-one days from the date of this order, either a completed application and affidavit in support of his request to proceed in forma pauperis on the form provided by the Clerk of Court, or the appropriate filing fee; plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed; and

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2. The Clerk of the Court is directed to send plaintiff a new Application to

Proceed In Forma Pauperis.

DATED: May 6, 2010.

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U.S. MAGISTRATE JUDGE