

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

JAMES DEKALB,

Plaintiff,

No. CIV S-10-1427 GGH P

vs.

MARSH, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff, a county prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On July 8, 2010, plaintiff was directed to submit an application to proceed in forma pauperis. Plaintiff has now filed a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint and obtained the certification required on the application form. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit the completed application and the certified copy in support of his application to proceed in forma pauperis.

/////  
/////  
/////

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

2 1. Plaintiff's July 13, 2010 application to proceed in forma pauperis  
3 (Docket No. 6) is denied;

4 2. Plaintiff shall submit, within thirty days from the date of this order, a certified  
5 copy of his prison trust account statement for the six month period immediately preceding the  
6 filing of the complaint and the certification required on the application form. Plaintiff's failure to  
7 comply with this order will result in a recommendation that this action be dismissed without  
8 prejudice; and

9 3. The Clerk of the Court is directed to send plaintiff a new Application to  
10 Proceed In Forma Pauperis By a Prisoner.

11 DATED: July 20, 2010

12 /s/ Gregory G. Hollows

13 \_\_\_\_\_  
14 GREGORY G. HOLLOWES  
UNITED STATES MAGISTRATE JUDGE

15 GGH:mp  
16 deka1427.3e

17  
18  
19  
20  
21  
22  
23  
24  
25  
26