

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

ELBERT LEE VAUGHT, IV,

Plaintiff,

No. 2:10-cv-1558 KJN (PC)

vs.

E. SANDOVAL, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding without counsel, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On June 29, 2010, plaintiff was directed to pay the filing fee or 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 12, 2010, application to proceed in forma pauperis is denied
3 without prejudice.

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.

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
13 
14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE

16
17
18
19
20
21
22
23
24
25
26
vaug1558.3e