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

CLARENCE A. GIPBSIN,

Plaintiff,

No. CIV S-10-1840 LKK DAD P

vs.

SCOTT KERNAN, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On October 21, 2010, the court issued findings and recommendations, recommending dismissal of this action due to plaintiff's failure to file an application to proceed in forma pauperis in accordance with the court's August 26, 2010 order. Plaintiff has filed objections to the findings and recommendations and requests additional time to comply with the court's order. Good cause appearing, the court will vacate its findings and recommendations and grant plaintiff an additional thirty days to file an application to proceed in forma pauperis.

Accordingly, IT IS HEREBY ORDERED that:

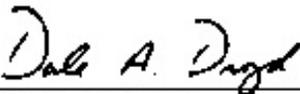
1. The court's October 21, 2010 findings and recommendations are vacated;
2. Within thirty days from the date of service this order plaintiff shall submit a

properly completed application to proceed in forma pauperis; plaintiff is cautioned that failure to

1 comply with this order or seek an extension of time to do so will result in a recommendation that
2 this action be dismissed without prejudice; and

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

5 DATED: November 4, 2010.

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8 _____
9 DALE A. DROZD
10 UNITED STATES MAGISTRATE JUDGE

8 DAD:9
9 gipb1840.36ifp

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