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

ANTHONY R. TURNER,

Plaintiff, No. 2:11-cv-0451 MCE JFM (PC)

12 vs.

13 DIANE SHEPARD, et al.,

Defendants. ORDER

The court issued findings and recommendations on June 27, 2011 recommending dismissal of this action due to plaintiff's failure to submit a certified application to proceed in forma pauperis. Following the issuance of those findings and recommendations, plaintiff submitted a second application to proceed in forma pauperis and a declaration stating that the accountant at California State Prison – Corcoran ("CSP-Corcoran"), where plaintiff is presently housed, refuses to certify plaintiff's prison trust account statement. In response, plaintiff was directed by order dated September 8, 2011 to submit either proof that he submitted an application to proceed in forma pauperis to officials at CSP-Corcoran or submit a certified prison trust account statement. Plaintiff has done neither. Instead, plaintiff has once again submitted an incomplete application to proceed in forma pauperis with a declaration that the accountant at CSP-Corcoran refuses to certify his prison trust account statement.

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Because plaintiff will be unable to prosecute this action without either payment in full of the filing fee or a certified application to proceed in forma pauperis, IT IS HEREBY ORDERED that:

- 1. Within fourteen days of the date of this order, the current Acting Warden of California State Prison-Corcoran, Connie Gipson, or the warden's designee, shall both inform the court why prison officials, if they have done so, have refused to provide the requisite certification for plaintiff to submit a completed affidavit in support of his request to proceed in forma pauperis and a certified copy of his prison trust account for the six month period preceding the filing of his complaint and, in any event, must provide the requisite supporting documentation. See 28 U.S.C. § 1915(a)(2).
- 2. The Clerk of the Court is directed to serve this order on the current Acting Warden of CSP-Corcoran, Connie Gipson, at 4001 King Avenue, P.O. Box 8800, Corcoran, CA, 93212-8309.
- 3. The Clerk of the Court is directed to once again send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner.

DATED: September 16, 2011.

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