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

GREGORY DOWNS,

Plaintiff,

No. 2:12-cv-3057 MCE CKD P

vs.

CALIFORNIA ATTORNEY
GENERAL, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. However, the certificate portion of the request which must be completed by plaintiff's institution of incarceration has not been filled out. Also, plaintiff has not filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a completed in forma pauperis application and a certified copy in support of his application.

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

2 1. The court's February 6, 2013 findings and recommendations are vacated;

3 2. Plaintiff's motion to proceed in forma pauperis (Dkt. No. 16) is denied without
4 prejudice;

5 3. Plaintiff shall submit, within thirty days from the date of this order, a
6 completed affidavit in support of his request to proceed in forma pauperis on the form provided
7 by the Clerk of Court;

8 4. The Clerk of the Court is directed to send plaintiff a new Application to
9 Proceed In Forma Pauperis By a Prisoner; and

10 5. Plaintiff shall submit, within thirty days from the date of this order, a certified
11 copy of his prison trust account statement for the six month period immediately preceding the
12 filing of the complaint. Plaintiff's failure to comply with this order will result in a
13 recommendation that this action be dismissed without prejudice.

14 Dated: April 1, 2013

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16 CAROLYN K. DELANEY
17 UNITED STATES MAGISTRATE JUDGE

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