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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	BOBBY LEYVA,
11	Plaintiff, No. 2:12-cv-3072 DAD P
12	VS.
13	MARTIN FONG,
14	Defendants. <u>ORDER</u>
15	/
16	Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant
17	to 42 U.S.C. § 1983. Plaintiff has not paid the required filing fee of \$350.00 or filed an
18	application to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a) & 1915(a). Plaintiff will be
19	granted thirty days to pay the filing fee in full or submit a properly completed application to
20	proceed in forma pauperis.
21	Plaintiff is cautioned that the in forma pauperis application form includes a
22	section that must be completed by a prison official, and the form must be accompanied by a
23	certified copy of plaintiff's prison trust account statement for the six-month period immediately
24	preceding the filing of this action.
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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall submit, within thirty days from the date of this order, either the \$350.00 filing fee or a properly completed application to proceed in forma pauperis on the form provided with this order; plaintiff is cautioned that failure to comply with this order or seek an extension of time to do so will result in a recommendation that this action be dismissed without prejudice; and

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

DATED: January 8, 2013.

1. A. Dage

DALE A. DROZD UNITED STATES MAGISTRATE JUDGE