

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

ROBERT BENYAMINI,

Plaintiff,

No. 2:13-cv-0735 EFB P

vs.

M. SWETT, et al.,

Defendants.

ORDER

Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. To proceed with a civil action a plaintiff must pay the \$350 filing fee required by 28 U.S.C. § 1914(a) or request leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a). Plaintiff has neither paid the fee nor submitted an application for leave to proceed in *forma pauperis*.

Accordingly, plaintiff has 30 days from the date of service of this order to submit either the filing fee or the application required by § 1915(a). The Clerk of the Court is directed to mail to plaintiff a form application for leave to proceed in *forma pauperis* by a non-prisoner. Failure to comply with this order will result in a recommendation that this action be dismissed.

So ordered.

Dated: April 22, 2013.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE