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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EUGENIA ROBINSON,
Plaintiff,
v.
JESSIE JEFFREY,
Defendants.

No. 2:13-1884 KJM DAD P

ORDER

Plaintiff, a former county jail inmate proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. He has also filed a motion to proceed in forma pauperis.

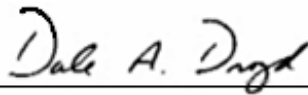
Plaintiff commenced this action while incarcerated. However, before the court had an opportunity to screen his complaint and rule on his motion to proceed in forma pauperis, plaintiff filed a notice of change of address informing the court that he is no longer incarcerated. Ordinarily, a prisoner-plaintiff is permitted to file a civil action in federal court without prepayment of fees if he alleges in an affidavit that he is unable to pay such fees. See 28 U.S.C. § 1915(a). However, in this case, in order for the court to now assess whether plaintiff is entitled to proceed in forma pauperis, he must apply to proceed in forma pauperis under the general provisions of 28 U.S.C. § 1915(a)(1). Accordingly, the court will provide plaintiff with an opportunity to submit an affidavit for use by non-prisoners in support of his request to proceed in forma pauperis or the required filing fee (\$350.00 plus a \$50.00 administrative fee).

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis (Doc. No. 2) is denied as moot;
2. Plaintiff shall submit, within thirty days from the date of this order, a non-prisoner affidavit in support of his request to proceed in forma pauperis or the required filing fee (\$350.00 plus a \$50.00 administrative fee). Plaintiff is cautioned that failure to comply with this order will result in a recommendation that this action be dismissed without prejudice. In the alternative, if plaintiff no longer wishes to proceed with this case, he may file a request to voluntarily dismiss this action without prejudice; and
3. The Clerk of the Court is directed to send plaintiff a copy of the non-prisoner in forma pauperis form used by this district.

Dated: January 27, 2014



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:9
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