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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

THURMAN LEROY SPENCER,  
Plaintiff,  
v.  
S. PAINTER, et al.,  
Defendants.

No. 2:13-cv-02108 DAD P

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. In addition, 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.

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

1. Plaintiff's October 11, 2013 motion to proceed in forma pauperis (ECF No. 2) is denied without prejudice;

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2. Within thirty days from the date of this order, plaintiff shall submit a completed affidavit in support of his request to proceed in forma pauperis on the form provided by the Clerk of Court, and a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint.

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

4. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

Dated: October 21, 2013

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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