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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY FUIMAONO,
Plaintiff,
v.
SOLANO COUNTY SHERIFF, et al.,
Defendants.

No. 2:14-cv-00347 AC P

ORDER

Plaintiff, a former state detainee 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. ECF Nos. 1, 2. Based on plaintiff's February 18, 2014 change of address which indicates that he is no longer incarcerated, the court is unable to determine whether plaintiff is indigent and unable to pay the filing fees for the present action. ECF No. 4. Therefore, plaintiff will be provided an opportunity to update his financial status by submitting a fully completed application to proceed in forma pauperis by a non-prisoner.

In his civil rights complaint, plaintiff alleges that he was denied a court-ordered phone call at the Solano County Jail on January 2, 2014. Based on the court's review of the allegation in the complaint, plaintiff is ordered to show cause within thirty days from the date of this order why his civil rights complaint should not be summarily dismissed without prejudice for failing to state a claim upon which relief can be granted.

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

1. Plaintiff's motion to proceed in forma pauperis (ECF No.2) is denied without prejudice;
2. The Clerk of the Court shall provide plaintiff with a copy of the in forma pauperis application used by this court for non-prisoners;
3. Plaintiff shall submit, within thirty days from the date of this order, a fully completed in forma pauperis application; and,
4. Plaintiff shall show cause within thirty days from the date of this order, why his civil rights complaint should not be summarily dismissed without prejudice for failing to state a claim upon which relief can be granted. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

DATED: February 24, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE