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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ASKIA ASHANTI,
Plaintiff,
v.
BARACK OBAMA, et al.,
Defendants.

No. 2: 14-cv-1644 KJN P

ORDER

Plaintiff, a state prisoner proceeding without counsel, has filed a pleading with the court. (ECF No. 1.) This document is not filed on a complaint or a habeas corpus form. Plaintiff requests that the court direct the FBI to investigate prison mailroom personnel in relation to false allegations against plaintiff regarding drug trafficking.

No other pleadings have been filed by the plaintiff. In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure, and plaintiff must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis.¹ See 28 U.S.C. §§ 1914(a), 1915(a). The court will not issue any orders granting or denying relief until an action has been properly commenced. Therefore, plaintiff's pleading filed July 11, 2014 is disregarded. Because it appears that plaintiff intends to bring a

¹ If leave to file in forma pauperis is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments.

1 civil rights action, plaintiff will be provided the opportunity to file his complaint, and to submit
2 an application requesting leave to proceed in forma pauperis or to submit the appropriate filing
3 fee.

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


5 1. Plaintiff is granted thirty days from the date of service of this order to file a complaint
6 that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure,
7 and the Local Rules of Practice; the complaint must bear the docket number assigned this case;
8 plaintiff must file an original and two copies of the complaint. Plaintiff shall also submit, within
9 thirty days from the date of this order, the application to proceed in forma pauperis on the form
10 provided by the Clerk of Court, or the filing fee in the amount of \$400.00.² Plaintiff's failure to
11 comply with this order will result in a recommendation that this matter be dismissed; and

12 2. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil
13 rights action, and the application to proceed in forma pauperis by a prisoner.

14 3. Plaintiff's pleading filed July 11, 2014 (ECF No. 1) is disregarded.

15 Dated: July 23, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

27 ² The \$400.00 is comprised of the \$350.00 filing fee and a \$50.00 administrative fee. If plaintiff
28 is granted leave to proceed in forma pauperis, plaintiff is not required to pay the \$50.00
administrative fee.