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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RUBEN J. BONTTY,
Plaintiff,
v.
N.H.S.,
Defendant.

No. 2:14-cv-2537 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On November 4, 2014, plaintiff was directed to pay the filing fee or submit an application to proceed in forma pauperis. Plaintiff has now filed an Application To Proceed In Forma Pauperis (“Application”), pursuant to 28 U.S.C. § 1915. However, 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, or the equivalent institutional certificate (which would be completed by plaintiff’s institution of incarceration). See 28 U.S.C. § 1915(a)(2) (requiring a “certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint”). Plaintiff will be provided the opportunity to submit a completed in forma pauperis Application, together with either a certified copy of the trust account statement, or the equivalent institutional certificate, or both if possible.

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

1. Plaintiff's in forma pauperis Application (ECF No. 4) is DENIED without prejudice;

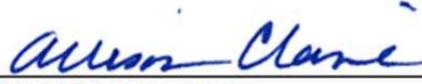
2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner;

3. Plaintiff shall submit, within thirty days from the date of this order, a completed and signed Application form provided by the Clerk of the Court;

4. Plaintiff shall also submit, within thirty days from the date of this order, either a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint, or the equivalent institutional certificate, or both if possible.

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

DATED: November 18, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE