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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL D. ROGERS,
Plaintiff,
v.
WARDEN DUFFY,
Defendant.

No. 2:15-cv-0123 KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). The instant case was transferred from the United States District Court for the Northern District on January 13, 2015. On February 11, 2015, plaintiff was granted an extension of time to submit a certified copy of his prison trust account statement for the six month period immediately preceding the filing of this action.

Plaintiff has now filed a second request for leave to proceed in forma pauperis¹ 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. See 28


¹ On December 24, 2014, plaintiff filed, in the prior Northern District case, an application to proceed in forma pauperis which contained the required certification from prison authorities. (ECF No. 5.) However, plaintiff did not provide the Northern District with a certified trust account statement for the six months preceding the filing of his action.

1 U.S.C. § 1915(a)(2). Indeed, the March 12, 2015 filing contains a note from the trust account
2 office to plaintiff stating that plaintiff must complete a CDC22 form in order to obtain a certified
3 copy of his prison trust account statement. (ECF No. 16 at 3.) In the letter accompanying his
4 filing, plaintiff seeks additional time to provide the certified prison trust account statement.

5 Good cause appearing, plaintiff is provided an extension of time to submit the certified
6 trust account statement in support of his application to proceed in forma pauperis. Plaintiff does
7 not need to file additional requests to proceed in forma pauperis.

8 In accordance with the above, IT IS HEREBY ORDERED that plaintiff is granted thirty
9 days in which to file a certified copy of his prison trust account statement for the six month period
10 immediately preceding the filing of the complaint. Plaintiff's failure to comply with this order
11 will result in the dismissal of this action.

12 Dated: March 18, 2015

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15 KENDALL J. NEWMAN
16 UNITED STATES MAGISTRATE JUDGE

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