

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK LEE DEARWESTER,

No. 2:15-cv-0445 AC P

Plaintiff,

v.

ORDER

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

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. Plaintiff has not, however, filed his application for leave to proceed in forma pauperis on the form used by this district. Accordingly, plaintiff’s application will be dismissed and plaintiff will be provided the opportunity to submit the application on the appropriate form. Plaintiff is cautioned that he must also provide a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of his complaint.

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

1. Plaintiff’s application to proceed in forma pauperis (ECF No. 2) is dismissed without prejudice;

////


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

3. Plaintiff shall, within thirty days from the filing date of this order, submit a completed application to proceed in forma pauperis together with a certified copy of plaintiff's prison trust account statement for the six-month period immediately preceding the filing of his complaint.

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

DATED: March 2, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE