

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN SCURLOCK.

No. 2:15-cv-0525 DAD P

Plaintiff,

ORDER

PAM AHLIN,

Defendant.

Plaintiff, a civil detainee at Coalinga State Hospital proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983, together with an application 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 appropriate form utilized by this district. Plaintiff correctly asserts in his filed application (ECF No. 2) that, as a civil detainee, he is not subject to the Prison Litigation Reform Act's financial reporting requirements. See Page v. Torrey, 201 F.3d 1136 (9th Cir. 2000). Nevertheless, plaintiff is still required to either pay the appropriate filing fee (\$350.00 plus \$50.00 administrative fee) or else be granted leave by the court to proceed in forma pauperis. If plaintiff wishes to proceed in forma pauperis, he is required to complete this district's form application so that his ability to pay the required filing fee may be properly evaluated. Accordingly, plaintiff's application will be denied and he will be provided the opportunity to submit the application on the appropriate form.

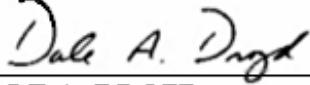
1 In accordance with the foregoing, IT IS HEREBY ORDERED that:

2 1. Plaintiff's March 9, 2015 request for leave to proceed in forma pauperis (ECF No. 2) is
3 denied without prejudice;

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

6 3. Within thirty days from the date of this order, plaintiff shall either pay the required
7 filing fee or else submit a completed application to proceed in forma pauperis. If plaintiff
8 chooses the latter option, he neither need ensure that the certificate portion of the application is
9 completed nor submit a certified copy of his prisoner trust fund account statement for the past six
10 months. Plaintiff's failure to comply with this order will result in a recommendation that this
11 action be dismissed without prejudice.

12 Dated: March 21, 2015

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14 _____
15 DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

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