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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER LANGSTON,  
Plaintiff,  
v.  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS (“CDCR”), et al.,  
Defendants.

No. 2:15-cv-1437 GEB KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. On September 1, 2015, the undersigned recommended that this action be dismissed based on plaintiff’s failure to file a completed in forma pauperis affidavit and certified trust account statement. On September 16, 2015, plaintiff filed objections stating that the court is mistaken because he sent “one complete copy to the court for all cases filed.” (ECF No. 10 at 1.) Plaintiff objects that the court did not indicate he was required to file three different trust account statements for each case, and asks the court not to dismiss this case. (ECF No. 10 at 2.)


Plaintiff is advised that he is required to pay the filing fee or seek leave to proceed in forma pauperis in each case he files. Plaintiff may not file one document and ask the court to apply it to all of his pending cases. In the future, plaintiff should be prepared to comply with each order as issued in each case.

1 That said, the court has reviewed court records; currently, plaintiff has four cases pending  
2 in this division. On July 14, 2015, in Langston v. CDCR, Case No. 2:15-cv-1510 TLN DAD,  
3 plaintiff filed a completed in forma pauperis affidavit, along with a certified trust account  
4 statement. On July 27, 2015, the assigned magistrate judge recommended that Case No. 2:15-cv-  
5 1510 be dismissed because it is duplicative of the instant action. In light of those  
6 recommendations, as well as the finding that the claims are the same as those raised herein, the  
7 undersigned will direct the Clerk of Court to file a copy of plaintiff's in forma pauperis affidavit  
8 and certified trust account statement submitted in Case No. 2:15-cv-1510 TLN DAD, and file  
9 them in this case. Plaintiff is relieved of his obligation to re-submit such documents in the instant  
10 action, and the findings and recommendations are vacated.

11 IT IS HEREBY ORDERED that:

- 12 1. The Clerk of the Court is directed to file in the instant action a copy of plaintiff's  
13 motion to proceed in forma pauperis and certified trust account statement filed in Langston v.  
14 CDCR, Case No. 2:15-cv-1510 TLN DAD (ECF No. 2);
- 15 2. Plaintiff is relieved of his obligation to submit a completed in forma pauperis  
16 application in the instant action; and
- 17 3. The September 1, 2015 findings and recommendations (ECF No. 8) are vacated.

18 Dated: October 7, 2015

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KENDALL J. NEWMAN  
21 UNITED STATES MAGISTRATE JUDGE

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