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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DALE JARDIN,

 Plaintiff,

 v.

UNKNOWN,

 Defendant.

No. 2:15-cv-1749 AC P

ORDER

Plaintiff, a state prisoner at Sierra Conservation Center under the authority of the California Department of Corrections and Rehabilitation (CDCR), has filed a letter seeking an investigation into the alleged violation of his Eighth Amendment rights based on his medical care. No other pleadings or documents have been filed by plaintiff.

In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure, and plaintiff must either pay the required filing fee or file an application requesting leave to proceed in forma pauperis. Plaintiff will be provided an opportunity to file a complaint, and to submit an application requesting leave to proceed in forma pauperis, or to pay the required filing fee of \$350.00 plus the \$50.00 administrative fee.¹ See 28

¹ Litigants proceeding in forma pauperis are not required to pay the \$50.00 administrative fee. If leave to proceed in forma pauperis is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments.

1 U.S.C. §§ 1914(a), 1915(a).

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The Clerk of Court shall designate plaintiff's letter, ECF No. 1, not a complaint but a
4 letter.

5 2. Within thirty (30) days after the filing date of this order, plaintiff shall:

6 a. File an application to proceed in forma pauperis on the form provided by the Clerk of
7 Court herewith, or pay the full fee of \$400.00.


8 b. File a complaint on the form provided by the Clerk of Court herewith, that complies
9 with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local
10 Rules of Practice; the complaint must bear the docket number assigned this case; and

11 3. The Clerk of Court is directed to send plaintiff the form complaint used by prisoners in
12 this district to commence a civil rights action, and the form application to proceed in forma
13 pauperis by a prisoner, and shall re-serve the new case documents returned to the court on
14 September 3, 2015.

15 4. The Clerk of Court shall note, in serving this order and other documents on plaintiff at
16 the Sierra Conservation Center, that the CDCR number designated on the court's docket
17 (A47643) is different than the number provided on CDCR's Inmate Locator website (AU7643);²
18 service on plaintiff should be made using *both* CDCR numbers until this inconsistency is
19 resolved.

20 5. Should plaintiff fail to timely comply with this order, this matter will be dismissed
21 without prejudice.

22 DATED: September 11, 2015

23 
24 ALLISON CLAIRE
25 UNITED STATES MAGISTRATE JUDGE

26 ² See <http://inmatelocator.cdcr.ca.gov/>. This Court may take judicial notice of facts that are
27 capable of accurate determination by sources whose accuracy cannot reasonably be questioned.
28 See Fed. R. Evid. 201; see also *City of Sausalito v. O'Neill*, 386 F.3d 1186, 1224 n.2 (9th Cir. 2004) (“We may take judicial notice of a record of a state agency not subject to reasonable dispute.”).