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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY WOMACK,
Plaintiff,
v.
WARDEN PERRY,
Defendant.

No. 2:15-cv-1858 DAD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a defective motion for preliminary injunctive relief in which he seeks a court order prohibiting High Desert State Prison Warden Perry from denying Muslims their right to practice their religion. See Local Rule 231(d). Plaintiff has also submitted an application to proceed in forma pauperis. See 28 U.S.C. §§ 1914(a), 1915(a).

In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure. The court will not issue any orders granting or denying relief until an action has been properly commenced. Therefore, plaintiff's motion for preliminary injunctive relief will be denied without prejudice. The court will provide plaintiff with an opportunity to file his complaint.

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

1. Plaintiff's motion for preliminary injunctive relief (Doc. No. 1) is denied without prejudice;
2. Plaintiff is granted thirty days from the date of service of this order to file a complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice; the complaint must bear the docket number assigned this case. Plaintiff's failure to comply with this order will result in a recommendation that this matter be dismissed; and
3. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil rights action by a prisoner.

Dated: October 1, 2015



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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