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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HAROLD HUNTER,
Plaintiff,
v.
DOROTHY H. DO-WILLIAMS, et al.,
Defendants.

No. 2:15-cv-1971 KJN P

ORDER

Plaintiff, a state prisoner, is proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to magistrate judge jurisdiction for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). (See ECF No. 10.)

Plaintiff has filed an in forma pauperis affidavit accompanied by (i) a certificate providing that his average monthly trust account balance for the past six months was \$748.73, and (ii) a certified copy of his inmate trust account statement showing a balance, as of October 9, 2015, of \$1695.34. (See ECF No. 12 at 3-4.)

Pursuant to federal statute, a filing fee of \$350.00 is required to commence a civil action in federal district court. 28 U.S.C. § 1914(a). The court may authorize the commencement of an action “without prepayment of fees or security therefor” by an individual who submits an affidavit evidencing an inability to pay such fees or give security therefor. 28 U.S.C. § 1915(a). Plaintiff has made an inadequate showing of indigency in the affidavit before the court. Plaintiff

1 will therefore be granted twenty-one days in which to submit the appropriate filing fee to the
2 Clerk of the Court. Plaintiff is cautioned that failure to pay the fee will result in an order that the
3 application to proceed in forma pauperis be denied and the instant action be dismissed without
4 prejudice.

5 Accordingly, IT IS HEREBY ORDERED that, within twenty-one days from the date of
6 this order, plaintiff shall submit the appropriate filing fee.

7 Dated: December 14, 2015

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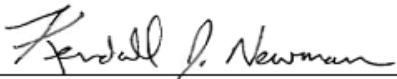
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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE