

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN GARDUNO,
Plaintiff,
v.
MIKE MCDONALD, Warden, et al.,
Defendants.

No. 2:15-cv-2370 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. There are three problems with plaintiff’s request to proceed in forma pauperis. First, although plaintiff states on the form that he is currently employed, he does not state the amount of his pay in the space provided. Second, the certificate portion of the request (which must be completed by an authorized officer at plaintiff’s place of incarceration) has not been completed. Third, plaintiff has not filed a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a new and fully completed request to proceed in forma pauperis together with a certified copy of his prison trust account statement for the six-month period preceding the filing of his complaint.

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

1. Plaintiff shall, within thirty days after the filing date of this order, submit to the court:

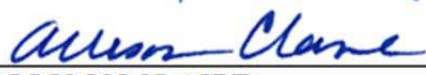
(a) a completed affidavit in support of his request to proceed in forma pauperis on the form provided herewith by the Clerk of Court; and

(b) a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of his complaint.

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

3. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

DATED: November 19, 2015



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE