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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,
Plaintiff,
v.
TERRY, et al.,
Defendants.

No. 2:15-cv-2615-TLN-EFB P

ORDER

Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. To proceed with a civil action a plaintiff must pay the \$400 filing fee required by 28 U.S.C. § 1914(a) or request leave to proceed in forma pauperis and submit the affidavit required by 28 U.S.C. § 1915(a). Plaintiff has neither paid the fee nor submitted a proper application for leave to proceed in forma pauperis, as the affidavit plaintiff submitted is incomplete.

Accordingly, plaintiff has 30 days from the date of service of this order to submit either the filing fee or the application required by § 1915(a). The Clerk of the Court is directed to mail to plaintiff a form application for leave to proceed in forma pauperis. Failure to comply with this order will result in a recommendation that this action be dismissed.

So ordered.

Dated: January 4, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE