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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES ANTHONY SMITH,  
Plaintiff,  
v.  
SISKIYOU COUNTY JAIL,  
Defendant.

No. 2:15-cv-2618 AC P


ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 and requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Upon review of plaintiff’s application to proceed in forma pauperis, the court discovered that plaintiff had not included a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. ECF No. 5. The court also noted that the certificate completed by the jail had been modified to cover only the previous three months. Id. Plaintiff was directed to submit a certified copy of his prison trust account statement and a properly completed certificate. Id. Plaintiff has filed a response to the order in which he states that the certificate only covered the previous three months because at the time, he had only been incarcerated for three months. ECF No. 7. While this may be the case, plaintiff still has not submitted a certified copy of his prison trust account statement. Id. Plaintiff must provide a  
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1 certified copy of his prison trust account statement for the past six months<sup>1</sup> before the court can  
2 grant him leave to proceed in forma pauperis. 28 U.S.C. § 1915(a)(2).

3 Accordingly, IT IS HEREBY ORDERED that within thirty days from the date of this  
4 order, plaintiff shall submit an application to proceed in forma pauperis that must be accompanied  
5 by a certified copy of his prison trust account statement for the six month period immediately  
6 preceding the filing of the complaint. Failure to comply with this order will result in a  
7 recommendation that this action be dismissed without prejudice.

8 DATED: January 29, 2016

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10 ALLISON CLAIRE  
11 UNITED STATES MAGISTRATE JUDGE  
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28 <sup>1</sup> The court understands that if plaintiff has been incarcerated for less than six months the  
statement will not reflect any activity for the time prior to plaintiff's incarceration.