

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

KEVIN ROSS BEAM,
Petitioner,
v.
S. FRAUENHEIM, Warden,
Respondent.

No. 2:16-cv-1240 KJN P

ORDER

Petitioner is a state prisoner, proceeding pro se, with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By order filed June 9, 2016, petitioner was provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee. On June 20, 2015, petitioner filed a notice of his “current” in forma pauperis status in Case No. 2:11-cv-0605 KJM CMK P. (ECF No. 6.)

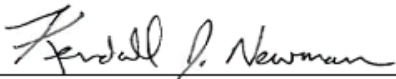
However, review of petitioner’s 2011 case reflects that his May 2, 2011 application to proceed in forma pauperis was accompanied by his prison trust account statement which was certified by prison officials on April 12, 2011. Id., ECF No. 9 at 3. Such financial information is over five years old, and the trust account statement is not for the six month period immediately preceding the filing of this action. See Rule 3(a)(2), 28 U.S.C. foll. § 2254; 28 U.S.C. § 1915. The court will grant petitioner an extension of time in which to submit a current application to proceed in forma pauperis.

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. Petitioner is granted an additional thirty days from the date of this order in which to submit an application to proceed in forma pauperis; petitioner's failure to comply with this order will result in a recommendation that this action be dismissed; and
2. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district.

Dated: June 23, 2016


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

/beam1240.101a2