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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNNY HEARNE,
Plaintiff,
v.
J. MA, et al.,
Defendants.

No. 2:16-cv-1775-EFB P

ORDER

Plaintiff is a 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 and trust account statement 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. On August 9, 2016, the court granted plaintiff 30 days to submit either the filing fee or the application required by § 1915(a). ECF No. 5. Plaintiff subsequently filed an application for leave to proceed in forma pauperis, but the affidavit is incomplete, and is not accompanied by a certified trust account statement. ECF No. 7.

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

5 So ordered.

6 Dated: August 22, 2016.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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