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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FABIAN KHAMO,
Plaintiff,
v.
WARDEN OF CSP-SAC, et al.,
Defendants.

No. 2:16-cv-1827-MCE-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On September 15, 2016, the court recommended that this action be dismissed after plaintiff failed to submit either the filing fee or the in forma pauperis application required by 28 U.S.C. § 1915(a). Thereafter, plaintiff submitted a partial application for leave to proceed in forma pauperis. Accordingly, the court’s September 15, 2016 findings and recommendations (ECF No. 7) are vacated. However, the court cannot review plaintiff’s complaint until plaintiff properly files a complete application to proceed in forma pauperis.


Accordingly, IT IS HEREBY ORDERED that:

1. The September 15, 2016 findings and recommendations (ECF No. 7) are vacated.
2. Within 30 days from the date of this order, plaintiff shall file a completed affidavit in support of his application to proceed in forma pauperis. Failure to comply with this order may result in another recommendation of dismissal.

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3. The Clerk of the court is directed to send to plaintiff a new form Application to Proceed In Forma Pauperis by a Prisoner.

DATED: September 30, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE