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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS DANIEL OSORIO ZUNIGA, et
al.,

Plaintiffs,

v.

RIO COSUMNES CORRECTIONAL
CENTER,

Defendant.

No. 2:16-cv-2486 KJN P

ORDER

On October 31, 2016, plaintiffs were directed to pay the filing fee or submit an application to proceed in forma pauperis. On December 19, 2016, the undersigned ordered both plaintiffs Osorio and Kumar to show cause, within fourteen days, why this case should not be dismissed. Plaintiff Osorio filed a request for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915, and now identifies himself as “Carlos Daniel Osorio Zuniga.” He has not, however, filed a certified copy of his inmate trust account statement for the six month period immediately preceding the filing of the complaint and obtained the certification required on the application form. See 28 U.S.C. § 1915(a)(2). Therefore, he will be provided the opportunity to submit the completed application and the certified copy in support of his application to proceed in forma pauperis.

1 Plaintiff Kumar consented to proceed before the undersigned for all purposes. (ECF No. 4.)
2 Plaintiff Kumar did not respond to the court's order to show cause. Plaintiffs were warned that
3 failure to respond to the order to show cause would result in the dismissal of this action. Thus,
4 plaintiff Kumar is dismissed from this action without prejudice.

5 In accordance with the above, IT IS HEREBY ORDERED that:

6 1. Plaintiff Carlos Daniel Osorio Zuniga shall submit, within thirty days from the date of
7 this order, a certified copy of his inmate trust account statement for the six month period
8 immediately preceding the filing of the complaint and the certification required on the application
9 form. Plaintiff's failure to comply with this order will result in a recommendation that this action
10 be dismissed without prejudice.


11 2. Plaintiff Kumar is dismissed from this action without prejudice.

12 3. The Clerk of the Court is directed to:

13 a. Change plaintiff's name in court records to "Carlos Daniel Osorio Zuniga."

14 b. Send plaintiff Zuniga a new Application to Proceed In Forma Pauperis By a
15 Prisoner.

16 Dated: January 4, 2017

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19 KENDALL J. NEWMAN
20 UNITED STATES MAGISTRATE JUDGE

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