




1 On December 8, 2016, plaintiff filed another motion to proceed in forma pauperis, but  
2 again failed to provide the certified jail trust account statement and jail officials did not complete  
3 the certificate portion of the form he submitted. Because plaintiff is not in the custody of the  
4 California Department of Corrections and Rehabilitation (“CDCR”), county jail officials must  
5 provide the certification. Plaintiff has not submitted a certified copy of his trust account  
6 statement or the institutional equivalent, or otherwise explained his failure to comply with the  
7 November 17, 2016 order.<sup>1</sup>

8 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without  
9 prejudice.

10 These findings and recommendations are submitted to the United States District Judge  
11 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
12 after being served with these findings and recommendations, plaintiff may file written objections  
13 with the court and serve a copy on all parties. Such a document should be captioned  
14 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that  
15 failure to file objections within the specified time may waive the right to appeal the District  
16 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

17 Dated: January 26, 2017

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19   
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

20 <sup>1</sup> The court has the power to control its docket and the cases pending before it. Ferdik v.  
21 Bonzelet, 963 F.2d 1258, 1260 (9th Cir.), cert. denied, 506 U.S. 915 (1992). **Error! Main**  
22 **Document Only.** Plaintiff has multiple cases pending in this district. In his December 15, 2016  
23 filing, plaintiff lists eight different cases he has filed. (ECF No. 8 at 1-2.) Thus, plaintiff should  
24 be aware of the procedures required to seek in forma pauperis status. For example, in two of his  
25 cases, plaintiff was provided multiple opportunities to submit the certified trust account  
26 statement, and on January 17, 2017, the assigned magistrate judge required plaintiff to provide the  
27 court with a copy of his request for a copy of his certified trust account statement along with any  
28 response from jail officials. Robben v. City of South Lake Tahoe, No. 2:16-cv-2696 WBS EFB  
(E.D. Cal.); Robben v. Norling, No. 2:16-cv-2699 WBS EFB (E.D. Cal.). Review of plaintiff’s  
cases demonstrates an inordinate expenditure of judicial resources to obtain certified financial  
information which plaintiff is required to provide under 28 U.S.C. § 1915. See No. 2:16-cv-2696  
WBS EFB (three orders); No. 2:16-cv-2699 WBS EFB (three orders); Robbin v. El Dorado  
County, No. 2:16-cv-2697 JAM KJN (E.D. Cal.) (two orders). The undersigned is not inclined to  
recommend that the court waste its limited resources on such preliminary issues.