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| 8  | UNITED STATES DISTRICT COURT   |                       |
| 9  | FOR THE EASTERN DISTRICT OF CALIFORNIA   |                       |
| 10 |  |                       |
| 11 | DENNIS PETILLO, JR.,   | No. 2:16-cv-2978 DB P |
| 12 | Plaintiff,   |                       |
| 13 | v.   | <u>ORDER</u>          |
| 14 | FEDERAL BUREAU OF INVESTIGATIONS,  |                       |
| 15 | Defendant.   |                       |
| 16 | Defendant.   |                       |
| 17 |  |                       |
| 18 | On December 21, 2016, plaintiff, a state prisoner proceeding pro se, filed a civil rights            |                       |
| 19 | action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed in forma pauperis   |                       |
| 20 | pursuant to 28 U.S.C. § 1915. In addition, on December 27, 2016, plaintiff filed a copy of his       |                       |
| 21 | prisoner trust fund account statement. Plaintiff did not, however, file his application for leave to |                       |
| 22 | proceed in forma pauperis on the form used by this district. In an order signed January 3, 2017,     |                       |
| 23 | the court dismissed plaintiff's application, ordered the Clerk of the Court to provide plaintiff a   |                       |
| 24 | new Application to Proceed In Forma Pauperis by a Prisoner, and ordered plaintiff to file the new    |                       |
| 25 | application within thirty days. The court warned plaintiff that his failure to file the new          |                       |
| 26 | application could result in dismissal of this action.  |                       |
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The thirty days have passed and plaintiff has not filed a new application to proceed in forma pauperis or otherwise responded to the court's January 3, 2017 order. The court will give plaintiff one final opportunity to do so. Accordingly, IT IS HEREBY ORDERED that within thirty days of the date of this order, plaintiff shall file a completed application to proceed in forma pauperis on the form used by this

Dated: February 14, 2017

UNITED STATES MAGISTRATE JUDGE