

1 These payments will be forwarded by the appropriate agency to the Clerk of the Court each time
2 the amount in plaintiff's account exceeds \$10.00, until the filing fee is paid in full. 28 U.S.C.
3 § 1915(b)(2).

4 In orders filed January 13, 2017 and February 24, 2017, plaintiff was informed that he
5 must file a complaint if he wishes to proceed in this case. Plaintiff was provided a copy of the
6 court's form for a section 1983 complaint. While plaintiff has submitted the forms to proceed in
7 forma pauperis, he has not filed a complaint. Plaintiff will be given one final opportunity to do
8 so. Plaintiff is warned that if he fails to file a complaint, this case will be dismissed.

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

10 1. Plaintiff's request for leave to proceed in forma pauperis (ECF No. 18) is granted.

11 2. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. Plaintiff
12 is assessed an initial partial filing fee in accordance with the provisions of 28 U.S.C.

13 § 1915(b)(1). All fees shall be collected and paid in accordance with this court's order to the
14 Director of the California Department of Corrections and Rehabilitation filed concurrently
15 herewith.

16 3. Within thirty days of the date of this order, plaintiff shall file a complaint on the form
17 used by this district. As plaintiff was advised previously, the complaint must bear the docket
18 number assigned this case and plaintiff must file an original and two copies of the complaint. If
19 plaintiff fails to file a complaint, this case will be dismissed without prejudice.

20 4. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil
21 rights action.

22 DATED: May 15, 2017

23
24 /s/ DEBORAH BARNES
25 UNITED STATES MAGISTRATE JUDGE

26
27 DLB:9
28 DLB1/prisoner-civil rights/cana0066.1