

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 RODERICK WILLIAM LEAR,

No. 2:17-cv-326-EFB P

12 Plaintiff,

13 v.

ORDER

14 D. AVILA, et al.,

15 Defendants.  
16

17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
18 U.S.C. § 1983.<sup>1</sup> To proceed with a civil action a plaintiff must pay the \$400 filing fee required by  
19 28 U.S.C. § 1914(a) or request leave to proceed in forma pauperis and submit the affidavit and  
20 trust account statement required by 28 U.S.C. § 1915(a). Plaintiff has neither paid the fee nor  
21 submitted an application for leave to proceed in forma pauperis.

22 Accordingly, plaintiff has 30 days from the date of service of this order to submit either  
23 the filing fee or the application required by § 1915(a). The Clerk of the Court is directed to mail

24 /////

25 /////

26 \_\_\_\_\_  
27 <sup>1</sup> Plaintiff initially commenced this action in the Fresno division of the court. This action  
28 was opened when the magistrate judge assigned to the Fresno action severed plaintiff's claims  
against defendants Avila, Christensen, and Lewis, and transferred them to this court, while  
retaining plaintiff's claims against defendant Manasrah. ECF No. 9.

1 to plaintiff a form application for leave to proceed in forma pauperis. Failure to comply with this  
2 order will result in dismissal of this action.

3 So ordered.

4 Dated: February 21, 2017.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE