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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRANDON LEIGH MEFFORD,
Plaintiff,
v.
DAVID BAUGHMAN,
Defendant.

No. 2:17-cv-1573-EFB P

ORDER

Brandon Mefford is a state prisoner proceeding without counsel. This action was opened when he submitted to the court a filing entitled “Order to Show Cause for [A] Preliminary Injunction.” ECF No. 1. To properly commence a civil action, however, Mr. Mefford must file a complaint.¹ See Fed. R. Civ. P. 3. In addition, he must pay the \$400 filing fee required by 28 U.S.C. § 1914(a) or request leave to proceed in forma pauperis and submit the affidavit and trust account statement required by 28 U.S.C. § 1915(a). Until Mr. Mefford submits a complaint and either pays the filing fee or meets the requirements of 28 U.S.C. § 1915(a), there simply is no case before the court.

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¹ A complaint must contain a short and plain statement of the plaintiff’s claim, showing that he is entitled to relief. Fed. R. Civ. P. 8. It must also contain a caption including the names of all defendants. Fed. R. Civ. P. 10(a). Mr. Mefford may draft his claims on the form complaint used by this court.

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Accordingly, it hereby is ORDERED that:

1. The Clerk of the Court shall send to Mr. Mefford the form complaint and application for leave to proceed in forma pauperis used in this court;
2. Within 30 days of the date of this order, Mr. Mefford shall either pay the \$400 filing fee or submit a complete application for leave to proceed in forma pauperis; and
3. Within 30 days of the date of this order, Mr. Mefford shall submit a complaint stating the nature of the action and his belief that he is entitled to redress. Failure to comply with this order may result in this case being closed.

DATED: August 2, 2017.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE