1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 MICHAEL DEWAYNE ALLEN, No. 2:17-cv-01943 KJM AC P 12 Plaintiff. 13 v. **ORDER** 14 C.O. ELHERS, 15 Defendant. 16 17 Plaintiff is a former state prisoner proceeding pro se with a complaint challenging conditions of his prior confinement at California State Prison Sacramento (CSP-SAC), under the 18 19 authority of the California Department of Corrections and Rehabilitation (CDCR). Shortly after 20 filing his complaint and submitting a completed application to proceed in forma pauperis by a 21 prisoner, plaintiff informed the court of his release from prison. See ECF No. 9. Review of the 22 Inmate Locator website operated by CDCR confirms plaintiff's continued release.¹ 23 Because plaintiff is no longer in custody, he must complete and submit a non-prisoner 24 application to proceed in forma pauperis on the form provided herewith. See e.g. Adler v. 25 Gonzalez, 2015 WL 4041772, at *1, 2015 U.S. Dist. LEXIS 85909 (E.D. Cal. July 1, 2015), 26 See http://inmatelocator.cdcr.ca.gov/search.aspx See also Fed. R. Evid. 201 (court may take 27 judicial notice of facts that are capable of accurate determination by sources whose accuracy 28 cannot reasonably be questioned). 1

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1	report and recommendation adopted, 2015 WL 4668668, 2015 U.S. Dist. LEXIS 103386 (E.D.
2	Cal. Aug. 6, 2015) (Case No. 1:11-CV-1915 LJO MJS), and cases cited therein.
3	Accordingly, IT IS HEREBY ORDERED that:
4	1. Within thirty days after the filing date of this order, plaintiff shall complete and file the
5	attached application to proceed forma pauperis used by non-prisoners in this district;
6	2. Failure of plaintiff to timely submit the completed application will result in the
7	dismissal of this action without prejudice; and
8	3. The Clerk of Court is directed to send plaintiff a blank application to proceed forma
9	pauperis used by non-prisoners in this district.
10	DATED: April 30, 2018
11	allison Clane
12	UNITED STATES MAGISTRATE JUDGE
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