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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN EMBREY,
Plaintiff,
v.
M. WALIK, et al.,
Defendants.

No. 2:17-cv-1973 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983, together with a copy of his prison trust account statement. Plaintiff has not, however, submitted an application to proceed in forma pauperis or paid the required filing fee of \$350.00 plus the \$50.00 administrative fee.¹ See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the opportunity to submit an in forma pauperis application or the required fees totaling \$400.00.

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

1. Plaintiff shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis on the form provided by the Clerk of Court, or


¹ If leave to file in forma pauperis is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments. Litigants proceeding in forma pauperis are not required to pay the \$50.00 administrative fee.

1 the required fees in the amount of \$400.00; plaintiff's failure to comply with this order will result
2 in a recommendation that this action be dismissed; and

3 2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In
4 Forma Pauperis By a Prisoner.

5 IT IS SO ORDERED.

6 DATED: September 26, 2017

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9 ALLISON CLAIRE
10 UNITED STATES MAGISTRATE JUDGE
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