

1 In addition, plaintiff must pay the \$400 filing fee required by 28 U.S.C. § 1914(a) or
2 request leave to proceed in forma pauperis and submit the affidavit and trust account statement
3 required by 28 U.S.C. § 1915(a).

4 Until plaintiff submits a signed complaint and either pays the filing fee or meets the
5 requirements of 28 U.S.C. § 1915(a), there is simply no case before the court. *See Fed. R. Civ. P.*
6 3 (“A civil action is commenced by filing a complaint with the court.”).

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The Clerk of the Court shall strike the unsigned complaint (ECF No. 1) from the
9 docket.
- 10 2. Within 30 days of the date of this order, plaintiff shall file a signed complaint.
- 11 3. Within 30 days of the date of this order, plaintiff shall either pay the \$400 filing fee or
12 submit a complete application for leave to proceed in forma pauperis using the form
13 provided.
- 14 4. Plaintiff’s failure to comply with this order may result in this case being closed.
- 15 5. The Clerk of the Court is directed to send plaintiff the court’s form prisoner civil
16 rights complaint and application for leave to proceed in forma pauperis.

17 Dated: January 11, 2018.

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19 EDMUND F. BRENNAN
20 UNITED STATES MAGISTRATE JUDGE
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