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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LELAND HAYNES,
Plaintiff,
v.
DAVID OREL, et al.,
Defendants.

No. 2:19-cv-1988 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, seeks clarification of the status of his case. ECF No. 4. Plaintiff filed this civil rights action on October 1, 2019, but never filed an in forma pauperis affidavit or paid the required filing fee of \$350.00 plus the \$50.00 administrative fee. See 28 U.S.C. §§ 1914(a), 1915(a). On October 4, 2019, the court ordered plaintiff to either file an IFP application or pay the fees in full within 30 days; plaintiff was provided with a form application for IFP status, and was warned that failure to timely comply with the order would result in a recommendation that the case be dismissed. Neither an IFP application nor the filing fee was ever received. Due to administrative oversight, no recommendation for dismissal issued. Because there was no IFP application before the court, the complaint has never been screened.

Because plaintiff has recently expressed interest in the status of the case, the court will provide him with a final opportunity either to submit the appropriate affidavit in support of a

1 request to proceed in forma pauperis or to submit the required fees totaling \$400.00.¹ Once
2 plaintiff has complied with this order, the court will screen the complaint.

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

4 1. Plaintiff shall submit, within thirty days from the date of this order, an affidavit in
5 support of his request to proceed in forma pauperis on the form provided by the Clerk of Court, or
6 the required fees in the amount of \$400.00; plaintiff's failure to comply with this order will result
7 in a recommendation that this action be dismissed; and

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

10 DATED: June 3, 2021

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE

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