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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LEE FOSTER,
Plaintiff,
v.
STEVE WHITE,
Defendant.

Case No. 2:21-cv-00388-JDP (PC)
**ORDER DIRECTING PLAINTIFF TO
SUBMIT A COMPLETE IN FORMA
PAUPERIS APPLICATION AND INMATE
TRUST ACCOUNT STATEMENT**

Plaintiff, a county inmate proceeding without counsel, has filed a civil rights action pursuant to 42 U.S.C. § 1983. On April 7, 2021, plaintiff was directed to either pay the filing fee or submit an application to proceed *in forma pauperis*. Plaintiff has submitted a request for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. However, the certificate portion of the request, which must be completed by plaintiff's institution of incarceration, has not been filled out. Also, plaintiff has not filed a certified copy of his inmate trust account statement for the six-month period immediately preceding the filing of the complaint. *See* 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a completed *in forma pauperis* application and a certified copy in support of his application.

In accordance with the above, it is hereby ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis*, ECF Nos. 7 & 8, is denied without prejudice.

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

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

4. Plaintiff shall submit, within thirty days from the date of this order, a certified copy of his inmate trust account statement for the six-month period immediately preceding the filing of the complaint. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

IT IS SO ORDERED.

Dated: April 26, 2021



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE