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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY RAY SHANEE MALDONADO,  
Plaintiff,  
v.  
MULE CREEK STATE PRISON et al.,  
Defendants.

No. 2:23-cv-02008 DAD DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed on March 5, 2023, plaintiff was directed to file an in forma pauperis affidavit or pay the required filing fee of \$350.00 plus the \$55.00 administrative fee.<sup>1</sup> See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff did not submit the appropriate affidavit or the required fees totaling \$405.00. Accordingly, on April 19, 2023, the undersigned recommended this case be dismissed without prejudice. (ECF No. 6.)

On May 20, 2024, plaintiff filed objections to the findings and recommendations to dismiss this case without prejudice. (ECF No. 7.) Plaintiff has not, however, submitted the appropriate affidavit in support of a request to proceed in forma pauperis or the required fees

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<sup>1</sup> 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 \$55.00 administrative fee.

1 totaling \$405.00. Good cause appearing, plaintiff will be granted another opportunity to do so. If  
2 plaintiff submits the appropriate affidavit in support of a request to proceed in forma pauperis or  
3 the required fees totaling \$405.00 within the time period granted, the undersigned will vacate the  
4 recommendation to dismiss this case.

5 In accordance with the above, IT IS HEREBY ORDERED as follows:

6 1. Plaintiff shall submit, within thirty days from the date of this order, an affidavit in  
7 support of his request to proceed in forma pauperis on the form provided by the Clerk of Court, or  
8 the required fees in the amount of \$405.00; plaintiff's failure to comply with this order will result  
9 in the court moving forward on the recommendation that this action be dismissed; and

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

12 Dated: June 4, 2024

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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE