

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DAVID HARRISON,
Plaintiff,
v.
BIRTWELL, et al.,
Defendants.

No. 2:24-cv-1413 CSK P

ORDER

Plaintiff, a federal inmate formerly housed at the Federal Correctional Institution in Herlong, California, filed this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). However, plaintiff did not file an in forma pauperis affidavit or pay the required filing fee of \$350.00 plus the \$55.00 administrative fee.¹ See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff is provided the opportunity either to submit the appropriate affidavit in support of a request to proceed in forma pauperis or to submit the required fees totaling \$405.00.

Plaintiff is cautioned that the in forma pauperis application form includes a section that must be completed by a prison official, and the form must be accompanied by a certified copy of

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 \$55.00 administrative fee.

1 plaintiff's prison trust account statement for the six-month period immediately preceding the
2 filing of this action.

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 \$405.00; 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
11 Dated: June 5, 2024

12 
13 CHI SOO KIM
14 UNITED STATES MAGISTRATE JUDGE

15 /1/harr1413.3a
16
17
18
19
20
21
22
23
24
25
26
27
28