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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEREMY CURD,
Plaintiff,
v.
KMART,
Defendant.

No. C-05-3217 MMC

**ORDER DENYING, WITHOUT
PREJUDICE, APPLICATION TO
PROCEED IN FORMA PAUPERIS**

(Docket No. 3)

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Before the Court is plaintiff's application, filed August 8, 2005, to proceed in forma pauperis. Plaintiff has not completed the application in full. In particular, plaintiff has not set forth the date of his last employment and the "amount of gross and net salary and wages per month" received, the amount of his monthly expenses, or the amount of his debts. In addition, plaintiff states, in his application, that the instant complaint raises claims that have been presented in other lawsuits, but plaintiff fails to list the case names and numbers of the prior lawsuits or the court in which they were filed.

Accordingly, plaintiff's application to proceed in forma pauperis is DENIED, without prejudice. If plaintiff wishes to proceed with his complaint, plaintiff must, no later than August 31, 2005, file an amended application to proceed in forma pauperis that addresses the deficiencies noted above, or pay the filing fee to the Clerk of the Court. If, by

1 August 31, 2005, plaintiff has not submitted an amended application to proceed in forma
2 pauperis, or paid the filing fee, the Court will dismiss plaintiff's complaint without prejudice.

3 **IT IS SO ORDERED.**

4 Dated: August 10, 2005


MAXINE M. CHESNEY
United States District Judge

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