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United States District Court
For the Northern District of California

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

GREG BROOKS,)	No. C 10-04276 JW (PR)
)	
Plaintiff,)	ORDER GRANTING EXTENSION
)	OF TIME TO FILE <i>IN FORMA</i>
vs.)	<i>PAUPERIS</i> APPLICATION
)	
THE STATE OF CALIFORNIA,)	
)	
Defendant.)	
_____)	

On August 4, 2010, plaintiff filed this pro se civil rights pursuant to 42 U.S.C. § 1983, which was transferred to this Court from the Eastern District on September 24, 2010. The same day, the clerk of the Court sent a notification to plaintiff that his in forma pauperis application was deficient because he failed to submit a Certificate of Funds in Prisoner’s Account completed and signed by an authorized officer at the prison. (Docket No. 8.) Plaintiff was advised to file the missing document within thirty days to avoid dismissal of the action. (Id.)

On October 27, 2010, in response to plaintiff’s inquiry, the clerk sent him a status letter in which he was again advised that the Court required a Certificate of Funds to rule on his in forma pauperis application. (Docket No. 10.) On November 12, 2010, plaintiff sent a letter to his Court stating that prison officials were giving

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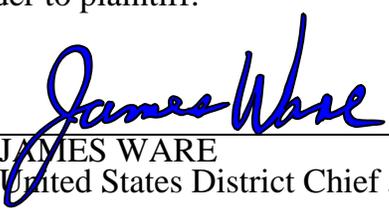
him “run around.” (Docket No. 12.) The Court notes that the attached “Inmate Request for Interview” requests a statement of “transactions for the last six months.” (Id.) Plaintiff is advised that the Court has received a copy of the his prison trust account statement showing transactions for the last six months, but that his application remains deficient because he has yet to file a completed Certificate of Funds in Prisoner’s Account.

In the interest of justice, the Court will grant plaintiff an extension of time to file a Certificate of Funds in Prisoner’s Account completed and signed by an authorized officer at the prison such that the Certificate is due **no later than thirty (30) days** from the date this order is filed, or in the alternative, plaintiff may pay the full \$350.00 filing fee.

Failure to respond in accordance with this order in the time provided may result in dismissal of this case without prejudice for failure to pay the filing fee without further notice to plaintiff.

The clerk shall enclose two blank copies of the court’s Certificate of Funds in Prisoner’s Account with a copy of this order to plaintiff.

DATED: February 7, 2011


JAMES WARE
United States District Chief Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

GREG BROOKS,
Plaintiff,

Case Number: CV10-04276 JW

CERTIFICATE OF SERVICE

v.

THE STATE OF CALIFORNIA,
Defendant.

_____/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 2/7/2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Greg Brooks F-41086
PELICAN BAY STATE PRISON (7500)
P.O. BOX 7500
CRESCENT CITY, CA 95532-7500

Dated: 2/7/2011

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk