

3:08-CV-00589 (a)

United States District Court
DISTRICT OF NEVADA

<input checked="" type="checkbox"/> FILED ENTERED	<input type="checkbox"/> RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
DEC 29 2008	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

NO COPY

George Scott

Plaintiff/Petitioner,

**APPLICATION TO PROCEED
IN FORMA PAUPERIS**

v.

Correctional Officer O'NEILL

CASE NUMBER:

Defendant/Respondent,

I, George Scott, declare that I am the (check the appropriate box)

- | | |
|---|---|
| <input checked="" type="checkbox"/> Plaintiff
(filing 42 U.S.C. § 1983) | <input type="checkbox"/> Movant
(filing 28 U.S.C. § 2255 motion) |
| <input type="checkbox"/> Petitioner
(writ of habeas corpus
28 U.S.C. §§ 2254 or 2241) | <input type="checkbox"/> Other |
| | <input type="checkbox"/> Defendant/Respondent |

in this case. I am unable to prepay the fees of this proceeding or give security because of my poverty. I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees incurred by me as a result of being granted leave to proceed *in forma pauperis*.

In further support of this application, I answer the following questions:

1. Are you presently employed? Yes No
- a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (List gross and net salary.)
- b. If the answer is "no," state the date of last employment and the amount of the salary or wages per month which you received.

2. Have you received within the past twelve months any money from any of the following sources?
- | | | | |
|----|--|------------------------------|--|
| a. | Business, profession or other form of self-employment? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. | Rent payments, interest or dividends? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. | Pensions, annuities or life insurance payments? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. | Gifts or inheritances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. | Any other sources? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "yes," describe each source of money and state the amount received from each during the past twelve months.

3. Do you own any cash, or do you have money in checking or savings accounts (include any funds in prison accounts, and any funds on deposit with a bank, saving & loan, etc., outside the prison) ?
- Yes No

If the answer is "yes," state the total value and location, including each account number, of the items owned (list the location of each account, type of account, and amount or balance in the account).

4. Do you own or have any interest in any real estate, stocks, bonds, notes, trusts, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?
- Yes No

If the answer is "yes," describe the property, its location and state its approximate value.

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support each month.

6. Do you receive any income from disability, Social Security or any other pension?
- Yes No

If the answer is "yes," describe the source and amount received each month.

7. Have you placed any property, assets or money in the name or custody of anyone else in the last two years?
- Yes No

If the answer is "yes," give the date, describe the property, assets or money, give the name of the person given custody of the item and the reason for the transfer.

ACKNOWLEDGMENT

I, the undersigned, acknowledge that I have read the foregoing and that the information contained therein is true and correct to my own knowledge and belief.

Further, I state that I have not directly or indirectly paid or caused to be paid to any inmate, agent of an inmate, or family member of any inmate a sum of money, favors or anything else for assistance in the preparation of this document or any other document in connection with this action.

Further, I acknowledge that if any of the information included in this motion for leave to proceed *in forma pauperis* is false or misleading, I understand that sanctions may be imposed against me. Those sanctions may include, but are not limited to, the following:

- (1) dismissal of my case with prejudice;
- (2) imposition of monetary sanctions;
- (3) the Nevada Department of Prisons may bring disciplinary proceedings for a violation of MJ-48 of the Code of Penal Discipline, which can include all sanctions authorized under the Code including the loss of good time credits and punitive confinement; and
- (4) perjury charges.

Further, I hereby authorize the United States District Court, District of Nevada, or its representative, to investigate my financial status, and authorize any individual, corporation, or governmental entity to release any such information to the said Court or its representative.

Further, I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees incurred by me as a result of being granted leave to proceed *in forma pauperis*.

Dated this 16 day of Dec, 2008. George Scott
(Signature of Applicant)

I understand that a false statement or answer to any question in this declaration will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Signed at George Scott
(Location)

George Scott
(Signature)

12-16-08
(Date)

#91663
(Inmate Prison Number)

* for the past six (6) months, from all sources, including amount in any savings account that is in excess of minimum amount that must be maintained

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

(Please sign in ink in a color other than black.)

12/8/2008
DATE

Altman
AUTHORIZED OFFICER
AAI
TITLE

RCUD IN SER*08DEC 5

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GEORGE. SCOTT

91663

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
6	2008/06/09 .00	.00	0
7	2008/06/10 .00	.00	0
8	2008/06/11 .00	.00	0
9	2008/06/12 .00	.00	0
10	2008/06/13 .00	.00	0
11	2008/06/14 .00	.00	0
12	2008/06/15 .00	.00	0
13	2008/06/16 .00	.00	0
14	2008/06/17 .00	.00	0
15	2008/06/18 .00	.00	0
16	2008/06/19 .00	.00	0
17	2008/06/20 .00	.00	0
18	2008/06/21 .00	.00	0
19	2008/06/22 .00	.00	0
20	2008/06/23 .00	.00	0
21	2008/06/24 .00	.00	0
22	2008/06/25 .00	.00	0
23	2008/06/26 .00	.00	0
24	2008/06/27 .00	.00	0
25	2008/06/28 .00	.00	0
26	2008/06/29 .00	.00	0
27	2008/06/30 .00	.00	0
28	2008/07/01 .00	.00	0
29	2008/07/02 .00	.00	0
30	2008/07/03 .00	.00	0
31	2008/07/04 .00	.00	0
32	2008/07/05 .00	.00	0
33	2008/07/06 .00	.00	0
34	2008/07/07 .00	.00	0
35	2008/07/08 .00	.00	0
36	2008/07/09 .00	.00	0
37	2008/07/10 .00	.00	0
38	2008/07/11 .00	.00	0
39	2008/07/12 .00	.00	0
40	2008/07/13 .00	.00	0
41	2008/07/14 .00	.00	0
42	2008/07/14 .00	.00	0

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GEORGE, SCOTT

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Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

2

IRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2008/07/15	.00	.00	0
2008/07/16	.00	.00	0
2008/07/17	.00	.00	0
2008/07/18	.00	.00	0
2008/07/19	.00	.00	0
2008/07/20	.00	.00	0
2008/07/21	.00	.00	0
2008/07/22	.00	.00	0
2008/07/23	.00	.00	0
2008/07/24	.00	.00	0
2008/07/25	.00	.00	0
2008/07/26	.00	.00	0
2008/07/27	.00	.00	0
2008/07/28	.00	.00	0
2008/07/29	.00	.00	0
2008/07/30	.00	.00	0
2008/07/31	.00	.00	0
2008/08/01	.00	.00	0
2008/08/02	.00	.00	0
2008/08/03	.00	.00	0
2008/08/04	.00	.00	0
2008/08/05	.00	.00	0
2008/08/06	.00	.00	0
2008/08/07	.00	.00	0
2008/08/08	.00	.00	0
2008/08/09	.00	.00	0
2008/08/10	.00	.00	0
2008/08/11	.00	.00	0
2008/08/12	.00	.00	0
2008/08/13	.00	.00	0
2008/08/14	.00	.00	0
2008/08/15	.00	.00	0
2008/08/16	.00	.00	0
2008/08/17	.00	.00	0
2008/08/18	.00	.00	0
2008/08/19	.00	.00	0

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GEORGE, SCOTT

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Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

3

	TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
6	2008/08/20	.00	.00	0
7	2008/08/21	.00	.00	0
8	2008/08/22	.00	.00	0
9	2008/08/23	.00	.00	0
10	2008/08/24	.00	.00	0
11	2008/08/25	.00	.00	0
12	2008/08/26	.00	.00	0
13	2008/08/27	.00	.00	0
14	2008/08/28	.00	.00	0
15	2008/08/29	.00	.00	0
16	2008/08/30	.00	.00	0
17	2008/08/31	.00	.00	0
18	2008/09/01	.00	.00	0
19	2008/09/02	.00	.00	0
20	2008/09/03	.00	.00	0
21	2008/09/04	.00	.00	0
22	2008/09/05	.00	.00	0
23	2008/09/06	.00	.00	0
24	2008/09/07	.00	.00	0
25	2008/09/08	.00	.00	0
26	2008/09/09	.00	.00	0
27	2008/09/10	.00	.00	0
28	2008/09/11	.00	.00	0
29	2008/09/12	.00	.00	0
30	2008/09/13	.00	.00	0
31	2008/09/14	.00	.00	0
32	2008/09/15	.00	.00	0
33	2008/09/16	.00	.00	0
34	2008/09/17	.00	.00	0
35	2008/09/18	.00	.00	0
36	2008/09/19	.00	.00	0
37	2008/09/20	.00	.00	0
38	2008/09/21	.00	.00	0
39	2008/09/22	.00	.00	0
40	2008/09/23	.00	.00	0
41	2008/09/24	.00	.00	0
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GEORGE. SCOTT

91663

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

4

TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2008/09/25	.00	.00	0
2008/09/26	.00	.00	0
2008/09/27	.00	.00	0
2008/09/28	.00	.00	0
2008/09/29	.00	.00	0
2008/09/30	.00	.00	0
2008/10/01	.00	.00	0
2008/10/02	.00	.00	0
2008/10/03	.00	.00	0
2008/10/04	.00	.00	0
2008/10/05	.00	.00	0
2008/10/06	.00	.00	0
2008/10/07	.00	.00	0
2008/10/08	.00	.00	0
2008/10/09	.00	.00	0
2008/10/10	.00	.00	0
2008/10/11	.00	.00	0
2008/10/12	.00	.00	0
2008/10/13	.00	.00	0
2008/10/14	.00	.00	0
2008/10/15	.00	.00	0
2008/10/16	.00	.00	0
2008/10/17	.00	.00	0
2008/10/18	.00	.00	0
2008/10/19	.00	.00	0
2008/10/20	.00	.00	0
2008/10/21	.00	.00	0
2008/10/22	.00	.00	0
2008/10/23	.00	.00	0
2008/10/24	.00	.00	0
2008/10/25	.00	.00	0
2008/10/26	.00	.00	0
2008/10/27	.00	.00	0
2008/10/28	.00	.00	0
2008/10/29	.00	.00	0
2008/10/30	.00	.00	0

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GEORGE, SCOTT

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Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

5

TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2008/10/31	.00	.00	0
2008/11/01	.00	.00	0
2008/11/02	.00	.00	0
2008/11/03	.00	.00	0
2008/11/04	.00	.00	0
2008/11/05	.00	.00	0
2008/11/06	.00	.00	0
2008/11/07	.00	.00	0
2008/11/08	.00	.00	0
2008/11/09	.00	.00	0
2008/11/10	.00	.00	0
2008/11/11	.00	.00	0
2008/11/12	.00	.00	0
2008/11/13	.00	.00	0
2008/11/14	.00	.00	0
2008/11/15	.00	.00	0
2008/11/16	.00	.00	0
2008/11/17	.00	.00	0
2008/11/18	.00	.00	0
2008/11/19	.00	.00	0
2008/11/20	.00	.00	0
2008/11/21	.00	.00	0
2008/11/22	.00	.00	0
2008/11/23	.00	.00	0
2008/11/24	.00	.00	0
2008/11/25	.00	.00	0
2008/11/26	.00	.00	0
2008/11/27	.00	.00	0
2008/11/28	.00	.00	0
2008/11/29	.00	.00	0
2008/11/30	.00	.00	0
2008/12/01	.00	.00	0
2008/12/02	.00	.00	0
2008/12/03	.00	.00	0
2008/12/04	.00	.00	0
2008/12/05	.00	.00	0

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GEORGE, SCOTT 91663

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2008/06/09 THRU 2008/12/08

7

START DATE END DATE

TOTAL DAILY BALANCES NUMBER OF DAYS AVERAGE MONTHLY BALANCE

2008/06/09 2008/07/08
2008/07/09 2008/08/08
2008/08/09 2008/09/08
2008/09/09 2008/10/08
2008/10/09 2008/11/08
2008/11/09 2008/12/08

.00 29
.00 31
.00 31
.00 30
.00 31
.00 30

START DATE END DATE

TOTAL DEPOSITS NUMBER OF DEPOSITS AVERAGE MONTHLY DEPOSITS

CURRENT ACCOUNT BALANCE 2008/12/08

.00

AVERAGE MONTHLY BALANCE

.00

AVERAGE MONTHLY DEPOSITS

.00

AVERAGE TOTAL MONTHLY DEPOSIT

.00 ✓

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GEORGE SCOTT,)
)
Plaintiff,)
)
vs.)
)
CORRECTIONAL OFFICER O'NEILL,)
)
et al.,)
)
Defendants.)

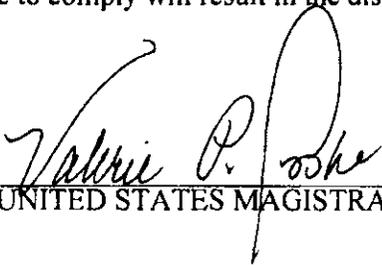
Case No. 3:08-cv-0589-BES-VPC

ORDER

Plaintiff, who is in the custody of the Nevada Department of Corrections, has submitted a Civil Rights Complaint (#1) pursuant to 42 U.S.C. § 1983. Although the Court did receive a financial certificate and statement of his inmate account (#1-2), Plaintiff did not pay the required filing fee of \$350.00, nor did he submit an Application to Proceed *in Forma Pauperis* in compliance with 28 U.S.C. §1915(a)(1) and Local Rule LSR 1-1. Although Plaintiff has multiple cases pending before the Court, Plaintiff must either pay the filing fee or submit a complete Application to Proceed *in Forma Pauperis* with supporting documentation in each case.

IT IS THEREFORE ORDERED that the Plaintiff shall file an Application to Proceed *In Forma Pauperis*. The Clerk of the Court shall send Plaintiff a blank application form for incarcerated litigants. In the alternative, Plaintiff shall make the necessary arrangements to pay the filing fee of three hundred fifty dollars (\$350.00), accompanied by a copy of this Order. Plaintiff shall have **thirty (30) days** from the date on which this Order is entered to comply. Failure to comply will result in the dismissal of this action.

DATED:


UNITED STATES MAGISTRATE JUDGE