Doc. 2 Frixione v. Skolnik et al 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 DISTRICT OF NEVADA 10 11 ALEJANDRO FRIXIONE, #1045558 12 13 Plaintiff, 2:10-cv-01119-RLH-LRL 14 VS. **ORDER** 15 HOWARD SKOLNIK, et al., 16 Defendants. 17 18 Plaintiff has submitted a pro se civil rights complaint. Plaintiff has failed to submit an 19 application to proceed in forma pauperis on the required form. See 28 U.S.C. § 1915(a)(1)-(2); Local 20 Rules of Special Proceedings 1-1, 1-2. Plaintiff will be granted thirty (30) days in which to submit a 21 completed and signed application to proceed in forma pauperis on the form provided by this Court. The 22 application must be accompanied by all required financial documentation, as described in the 23 instructions for use of the form. 24 Further, in the court's preliminary review, plaintiff's complaint does not appear to state 25 any claims for which relief may be granted. If plaintiff should consider filing an amended complaint 26 prior to this court's screening, he is advised that a complaint pursuant to 42 U.S.C. § 1983 should set

forth a concise statement of facts that demonstrate one or more violations of plaintiff's civil rights.

IT IS THEREFORE ORDERED that the Clerk SHALL SEND plaintiff the approved form for an Application to Proceed *In Forma Pauperis* by a prisoner, as well as the document "Information and Instructions for Filing a Motion to Proceed *In Forma Pauperis*." Within thirty (30) days from the date of entry of this order, plaintiff SHALL FILE a completed and signed application to proceed *in forma pauperis* on the form provided by this Court. Plaintiff's failure to file an application to proceed *in forma pauperis* in compliance with this order may result in the immediate dismissal of the lawsuit without prejudice.

IT IS FURTHER ORDERED that the Clerk SHALL SEND to plaintiff the approved forms for filing a civil rights lawsuit under 42 U.S.C. §1983.

IT IS FURTHER ORDERED that if plaintiff chooses to file an Amended Complaint, he shall clearly title the amended complaint as such by placing the words "FIRST AMENDED" immediately above "Civil Rights Complaint Pursuant to 42 U.S.C. § 1983" on page 1 in the caption, and plaintiff shall place the case number, 2:10-CV-01119-RLJ-LRL, above the words "FIRST AMENDED" in the space for "Case No."

IT IS FURTHER ORDERED that if plaintiff chooses to file an Amended Complaint, he shall file it within thirty (30) days from the date that this Order is entered. The amended complaint must be a complete document in and of itself, and will supersede the original complaint in its entirety. Any allegations, parties, or requests for relief from prior papers that are not carried forward in the amended complaint will no longer be before the court.

DATED this 26th day of July, 2010.

UNITED STATES MAGISTRATE JUDGE