

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
DISTRICT OF NEVADA

* * *

CLIFFORD EPPERSON, SR.,

Plaintiff,

v.

HENDERSON DETENTION CENTER,

Defendants.

Case No. 2:12-cv-02173-MMD-GWF

ORDER

This prison civil rights matter comes before the Court on plaintiff's application (dkt. no. 1) to proceed *in forma pauperis*.

The pauper application is not properly completed. The correctional sergeant who executed the financial certificate improperly wrote "NA" in three of the four blanks on the certificate. Review of the accompanying inmate account statement confirms that these were not appropriate responses. The application therefore will be denied without prejudice to the filing of a new application with properly completed financial materials.

In order to facilitate the proper completion of the financial certificate in this and other cases brought by persons held at the facility, the Court will direct the Clerk to informally send a copy of this order by mail to the Corrections Superintendent for the facility. The Court would appreciate any assistance that the Superintendent can provide in this regard without the necessity of formal personal service through the Marshal. The matter of which officers should be authorized to complete the certificate, of course, is within the Superintendent's domain, but the Court needs for the officers so authorized to properly complete the certificate, in full.

1 The Court additionally notes that plaintiff prematurely has been filing exhibits in
2 this matter. Exhibits should be filed only with a motion or as directed by the Court. The
3 present exhibits will be stricken.

4 IT IS THEREFORE ORDERED that the application (dkt. no. 1) to proceed *in*
5 *forma pauperis* is DENIED without prejudice. Plaintiff shall have thirty (30) days from
6 entry of this order to either pay the \$350.00 filing fee or submit a properly completed
7 pauper application with all required, and new, financial attachments. Failure to timely
8 comply with this order will result in the dismissal of this action without further advance
9 notice.

10 IT IS FURTHER ORDERED that the Clerk shall send a copy of this order, and of
11 the five-page pauper application (dkt. no. 1), by mail to Corrections Superintendent
12 Lauer at the address below and shall note said transmittal in the docket entry for this
13 order:

14 Ms. Pamela K. Lauer, CCM
15 Corrections Superintendent
16 Henderson Detention Center
P.O. Box 95050
Henderson, NV 89009-5050

17 IT IS FURTHER ORDERED that all exhibits filed at the time of entry of this order,
18 including Docket Nos. 3, 5, 6 and 8, shall be STRICKEN. Plaintiff shall file no more
19 exhibits in this action other than exhibits that are filed either in support of a motion or in
20 response to a Court order.

21 The Clerk shall SEND plaintiff two copies of a pauper application form for an
22 incarcerated person along with one copy of the instructions for the form.

23 DATED THIS 30th day of January 2013.

24
25 
26 _____
MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

27
28