

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**

DAVID SAUL PUTZER,

*Plaintiff,*

vs.

SHMUEL ATTAL, *et al.*

*Defendants.*

2:13-cv-00165-APG-CWH

**ORDER**

This civil rights action by a former inmate comes before the Court on plaintiff's first and second applications (## 1 & 11) to proceed *in forma pauperis* and his motion (#2) for leave to file a longer than normal complaint.

On the pauper applications, the Court finds following review of the financial materials filed with ##11 & 12 that plaintiff is not able currently to pay the full filing fee or a substantial initial partial fee payment. Plaintiff will remain subject to the fee payment provisions of the Prison Litigation Reform Act as discussed in the prior order (#10). However, given plaintiff's current finances, the Court sees no practical utility in setting either a payment schedule or a regular financial update schedule at this juncture. The Court may revisit the matter of fee payment later in the case, as warranted by the circumstances then presented.

The Court will grant the motion for leave to authorize the extra-length original complaint filed previously, given that plaintiff has tendered a superceding amended complaint. The Court will take up the matter of the length of that pleading in connection with the motions (## 7 & 8) presented seeking leave to file that extra-length pleading. The Court will take up those motions when it screens the approximately 100 page amended complaint.

1 IT THEREFORE IS ORDERED that plaintiff's first and second applications (## 1 & 11)  
2 to proceed *in forma pauperis* are GRANTED, subject to plaintiff's obligation to pay the full filing  
3 fee of three hundred fifty dollars (\$350.00) upon funds being available. Furthermore, even if  
4 this action is dismissed, the full filing fee still must be paid pursuant to 28 U.S.C. § 1915(b)(2).

5 IT FURTHER IS ORDERED that the movant herein is permitted to maintain this action  
6 to conclusion without the necessity of prepayment of any additional fees or costs or the giving  
7 of security therefor. This order granting *forma pauperis* status shall not extend to the issuance  
8 of subpoenas at government expense.

9 IT IS FURTHER ORDERED that plaintiff's motion (#2) for leave to file a longer than  
10 normal complaint is GRANTED and the Clerk shall file the original complaint tendered with #1.  
11 Plaintiff's motion for leave to amend the complaint and motion to file a longer than normal  
12 amended complaint remain under submission at this time, pending screening.

13 DATED: September 30, 2013.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

ANDREW P. GORDON  
United States District Judge