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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CODY LEAVITT,

Plaintiff,

vs.

HAROLD WICKHAM, *et al.*,

Defendants.

2:13-cv-00490-GMN-CWH

ORDER

10 Plaintiff, a Nevada state inmate, has filed an application (#1) to proceed *in forma*
11 *pauperis* seeking to initiate a civil rights action.

12 The pauper application is incomplete. Both a financial certificate properly completed
13 and executed by an authorized institutional officer and a statement of the plaintiff's inmate
14 trust fund account for the past six months are required by 28 U.S.C. § 1915(a)(2) and Local
15 Rule LSR1-2. Plaintiff attached neither.

16 It does not appear from review of the allegations presented that a dismissal without
17 prejudice of the present improperly-commenced action would lead to a promptly-filed new
18 action being untimely.

19 IT THEREFORE IS ORDERED that the application to proceed *in forma pauperis* (#1)
20 is DENIED and that this action shall be DISMISSED without prejudice to the filing of a new
21 complaint on the required form in a new action together with either a new pauper application
22 with all required, and new, attachments or payment of the \$350.00 filing fee.

23 The Clerk of Court shall SEND plaintiff a copy of the papers that he filed along with the
24 complaint and pauper forms and instructions for both forms.

25 The Clerk shall enter final judgment accordingly, dismissing this action without
26 prejudice.

27 **DATED** this 2nd day of April, 2013.

28

Gloria M. Navarro
United States District Judge