

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CODY LEAVITT,

*Plaintiff,*

VS.

HAROLD WICKHAM, *et al.*,

*Defendants.*

2:13-cv-00490-GMN-CWH

## ORDER

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

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

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

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

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

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

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

Gloria M. Navarro  
United States District Judge