Hooks v. Neven et	: al II	Do
1		
2		
3		
4		
5		
6	UNITED ST	ATES DISTRICT COURT
7	DIST	RICT OF NEVADA
8	JEROME HOOKS,	>
9	Plaintiff,	
10	V.	2:13-cv-1796-GMN-PAL
11	WARDEN NEVEN et al.,	ORDER
12	Defendants.	
13		}
14	I. DISCUSSION	
15	Plaintiff, who was a prisoner in the custody of the Nevada Department of Corrections	
16	("NDOC") at the time he initiated this case, has submitted an application to proceed in forma	
17	pauperis, a civil rights complaint pursuant to 42 U.S.C. § 1983, and a motion for appointment	
18	of counsel. (ECF No. 2, 4). The Court notes that, pursuant to the NDOC's inmate search	
19	records, Plaintiff was discharged from prison on December 8, 2013. Plaintiff has not updated	
20	his current address with the Court.	
21	The Court notes that pursuant to Nevada Local Special Rule 2-2, "[t]he plaintiff shal	
22	immediately file with the Court written notification of any change of address. The notification	
23	must include proof of service upon each opposing party or the party's attorney. Failure to	
24	comply with this Rule may result in dismissal of the action with prejudice." Nev. Loc. Specia	
25	R. 2-2. This Court grants Plaintiff thirty (30) days from the date of entry of this order to file his	
26	undated address with this Court If Plair	ntiff does not undate the Court with his current address

within thirty (30) days from the date of entry of this order, the Court will dismiss this action with

With respect to the application to proceed in forma pauperis, the Court notes that

27

28

prejudice.

Doc. 5

Plaintiff must now file an application to proceed *in forma pauperis* for non-prisoners. The Clerk of the Court shall send Plaintiff the approved form for an Application to Proceed *In Forma Pauperis* for non-prisoners, as well as the document "Information and Instructions for Filing a Motion to Proceed *In Forma Pauperis*." The Court will retain Plaintiff's civil rights complaint, but will not file it until the matter of payment of the filing fee is resolved. Plaintiff is granted an opportunity to file the non-prisoner *in forma pauperis* application or, in the alternative, pay the filing fee for this action. Within thirty (30) days from the date of entry of this order, Plaintiff shall file his non-prisoner *in forma pauperis* application or, in the alternative, pay the full filing fee for this action. If Plaintiff fails to either file a non-prisoner *in forma pauperis* application or pay the full filing fee within thirty (30) days from the date of entry of this order, the Court shall dismiss this case.

II. CONCLUSION

For the foregoing reasons, **IT IS ORDERED** that Plaintiff's Application to Proceed *In Forma Pauperis* for prisoners (ECF No. 4) is **DENIED**, without prejudice to his filing a new application for non-prisoners.

IT IS FURTHER ORDERED that the Clerk of the Court **SHALL SEND** Plaintiff the approved form for an Application to Proceed *In Forma Pauperis* for non-prisoners, as well as the document "Information and Instructions for Filing a Motion to Proceed *In Forma Pauperis*."

IT IS FURTHER ORDERED that within thirty (30) days from the date of entry of this order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners or (2) pay the full filing fee of \$350.

IT IS FURTHER ORDERED that Plaintiff SHALL FILE his current address with the Court within thirty (30) days from the date of entry of this order.

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order, the Court will dismiss this action.

IT IS FURTHER ORDERED that the Clerk of the Court shall retain Plaintiff's civil rights complaint (ECF No. 4 at 17-25), but shall not file it at this time.

///

IT IS FURTHER ORDERED that a decision on Plaintiff's Motion for Appointment of Counsel (ECF No. 2) is deferred at this time.

DATED this 23rd day of January, 2014.

Gloria M. Navarro, Chief Judge United States District Court