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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEROME HOOKS,

Plaintiff

vs.

TATE WILLIAMS, *et al.*,

Defendants

2:13-cv-1797-APG-GWF

ORDER

Plaintiff has submitted an application (#1) to proceed *in forma pauperis* and a civil rights complaint pursuant to 42 U.S.C. § 1983.

The matter has not been properly commenced because the pauper application does not include all required attachments. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2, a petitioner must use the proper form and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff did not use the U.S. District Court application form and did not attach an inmate account statement for the past six months or a financial certificate signed by an authorized prison official. The application therefore further is incomplete and it will be denied. The present action will be dismissed without prejudice to the filing of a new complaint in a new action with a pauper application on the proper form with all required attachments.

It does not appear from the papers presented that a dismissal without prejudice will materially affect a later analysis of any timeliness issue with regard to a promptly filed new action.

IT THEREFORE IS ORDERED that the application (#1) to proceed *in forma pauperis* is DENIED and that this action shall be DISMISSED without prejudice to the filing of a new petition in

1 a new action with a properly completed pauper application.

2 IT FURTHER IS ORDERED that any appeal of this order would not be taken in good faith.

3 IT FURTHER IS ORDERED that the Clerk shall send plaintiff two copies each of an application
4 form to proceed *in forma pauperis* for incarcerated persons and a § 1983 civil rights complaint form,
5 one copy of the instructions for each form, and a copy of the papers that he submitted in this action.

6 The Clerk of Court shall enter final judgment accordingly in favor of defendants and against
7 petitioner, dismissing this action without prejudice.

8 DATED: October 7, 2013.

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12 UNITED STATES DISTRICT JUDGE
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