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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**
5

6 CARLOS CORTEZ DIAZ,)

7 Plaintiff,)

8 vs.)

9 LEE, *et al.*,)

10 Defendants.)
11

Case No. 2:13-cv-02351-JAD-CWH

ORDER

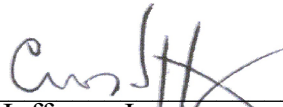
12 This matter is before the Court on Plaintiff's Second Application to Proceed *In Forma*
13 *Pauperis* (#3), filed March 12, 2014. Plaintiff's first application was denied without prejudice
14 because it did not comply with the application requirements for submission by an incarcerated
15 individual. *See* Order (#2) (denying application for failure to submit a certificate from the
16 institution certifying the amount of funds currently in the applicant's trust account at the institution
17 and the net deposits in the applicant's account for the six (6) months preceding the submission of
18 the application). Plaintiff was instructed to submit a new, complete application by Wednesday,
19 March 12, 2014. Plaintiff submitted the new application on the form for incarcerated individuals
20 along with a letter indicating that he is no longer incarcerated. Because Plaintiff was never
21 approved to proceed *in forma pauperis* while incarcerated, the Court will require that he submit a
22 new application on the form for non-incarcerated individuals. The Court further notes that the most
23 recently submitted application is incomplete. Plaintiff did not respond to all of the questions listed
24 on the questionnaire. Thus, the application (#3) is subject to dismissal on the grounds that it is
25 incomplete as well.

26 Based on the foregoing and good cause appearing

27 **IT IS HEREBY ORDERED** that Plaintiff's Application to Proceed *In Forma Pauperis*
28 (#3) is **denied without prejudice**. Plaintiff shall have until **Friday, April 25, 2014** to file a new
application proceed *in forma pauperis*. The Clerk of the Court shall send Plaintiff a blank *in forma*

1 *pauperis* application for non-incarcerated litigants. In the alternative, Plaintiff shall make the
2 necessary arrangements to pay the filing fee of four hundred dollars (\$400.00). Failure to comply
3 will result in a recommendation to that this case be dismissed.

4 DATED: March 24, 2014.

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6 _____
7 Carl W. Hoffman, Jr.
8 United States Magistrate Judge