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

7 NIKCI BOYD,

8 Plaintiff,

9 vs.

10 OFFICER HUNTER,

11 Defendants.
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) Case No. 2:14-cv-02043-GMN-GWF

ORDER

13 On December 5, 2014, Plaintiff Nikci Boyd filed he Complaint (ECF No. 1). However,
14 Plaintiff failed to pay a filing fee or file an application to proceed *in forma pauperis*.

15 Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 plus an additional \$50 administrative
16 fee is required to commence a civil action in federal district court. The court may authorize the
17 commencement of an action without prepayment of fees and costs or security if the plaintiff is granted
18 *in forma pauperis* status by the Court. 28 U.S.C. § 1915(a)(1). To proceed *in forma pauperis*, a
19 plaintiff must submit an *in forma pauperis* application to the Court, accompanied by an *In Forma*
20 *Pauperis* Motion Financial Certificate and a copy of the plaintiff's prison account statement showing
21 the current balance of the account.

22 Should Plaintiff decide to apply for *in forma pauperis* status, she is notified that she will still
23 be required to pay a total amount of \$4000.00, which will be deducted from her prison account in
24 installments. Pursuant to the Prison Litigation Reform Act of 1995, the District Court is required to
25 assess a fee where a prisoner is granted leave to proceed *in forma pauperis* in a civil action and the
26 prison officials are required to collect and remit the money to the Court. *See* 28 U.S.C. § 1915(b)(1)-
27 (2). Pursuant to the *In Forma Pauperis* (“IFP”) Motion Financial Certificate, a plaintiff must pay a
28 filing fee of \$400.00. If the plaintiff does not have \$400.00, the plaintiff will be required to pay either

1 20% of the average monthly balance or 20% of the average monthly deposits, whichever is greater.
2 Furthermore, the plaintiff will be required to pay installments of 20% of the preceding month's
3 deposits to the account in months that the account balance exceeds \$10.00. Accordingly,

4 **IT IS HEREBY ORDERED** that the Clerk of the Court shall send Plaintiff an Application to
5 Proceed *In Forma Pauperis* (Prisoner), *In Forma Pauperis* Motion Financial Certificate and
6 Instructions for the Application to Proceed *In Forma Pauperis*.

7 **IT IS FURTHER ORDERED** that Plaintiff shall have until **thirty (30) days** from the date of
8 this order to either pay the appropriate filing fee of \$400.00, or submit a completed application and
9 affidavit in support of her request to proceed *in forma pauperis*. Plaintiff's failure to comply with
10 this order will result in the recommendation that this action be dismissed.

11 DATED this 31st day of August, 2016.

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14 GEORGE FOLEY, JR.
United States Magistrate Judge