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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LIONELL JACKSON,
 Plaintiff,

v.

C/O NEWTON et al.,
 Defendants.

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2:16-cv-01864-JAD-NJK

ORDER

I. DISCUSSION

On August 11, 2016, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action within thirty (30) days from the date of that order. (ECF No. 3 at 2). Plaintiff filed a motion for an extension of time and the Court granted him an extension until October 14, 2016. (ECF No. 4, 5). On October 4, 2016, Plaintiff filed a letter with the Court explaining that he just received a \$1000 settlement in another case. (ECF No. 7 at 1). In the letter, Plaintiff seeks advice as to whether he should proceed *in forma pauperis* or pay the full filing fee. (*Id.*).

The Court interprets this letter as a motion for an extension of time to either file an application to proceed *in forma pauperis* which incorporates Plaintiff's settlement or to pay the full filing fee for this case. To the extent that Plaintiff seeks legal advice, the Court cannot advise him as to whether he should file another application to proceed *in forma pauperis* or pay the full filing fee for this action. However, if Plaintiff chooses to file an application to proceed *in forma pauperis*, he must provide an updated application which incorporates his \$1000 settlement. If Plaintiff chooses to pay the full filing for this case, he must utilize the brass slip procedures set forth by the prison. The Court grants Plaintiff an extension of time

1 to either file an updated application to proceed *in forma pauperis* or to pay the full \$400 filing
2 fee to Friday, November 18, 2016. No further extensions will be granted.

3 **II. CONCLUSION**

4 For the foregoing reasons, IT IS ORDERED that the letter (ECF No. 7) is construed as
5 a motion for extension of time. The Court GRANTS the motion for an extension of time.

6 IT IS FURTHER ORDERED that, **on or before Friday, November 18, 2016**, Plaintiff
7 shall either: (1) file a fully complete application to proceed *in forma pauperis* on the correct
8 form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay
9 the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
10 administrative fee). No further extensions will be granted.

11 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
12 dismissal of this action may result.

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14 DATED: This 5th day of October, 2016.

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NANCY J. KOPPE
United States Magistrate Judge

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