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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA7 CHARLES ADRIAN FORD,  
8 Petitioner,

9 vs.

10 STATE OF NEVADA, *et al.*,  
11 Respondents.

Case No. 2:17-cv-00112-RFB-VCF

**ORDER**

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14 This habeas matter under 28 U.S.C. § 2254 comes before the Court on petitioner's  
15 application (ECF No. 1) to proceed *in forma pauperis* and his motion (ECF No. 2) for  
16 appointment of counsel.

17 The pauper application is incomplete. Under 28 U.S.C. § 1915(a)(2) and Local Rule  
18 LSR1-2, a petitioner must attach both a properly executed financial certificate and an inmate  
19 account statement for the past six months. The financial certificate that petitioner attached was  
20 not executed by an authorized financial officer with the corrections department. Petitioner must  
21 have the authorized financial officer complete the form for him. Petitioner also did not attach an  
22 inmate account statement for the past six months.

23 The application therefore will be denied without prejudice. Petitioner either must pay the  
24 \$5.00 filing fee or file a properly completed pauper application within sixty (60) days of entry of  
25 this order.

26 Petitioner's motion for appointment of counsel also will be denied without prejudice  
27 because petitioner must establish both financial eligibility for appointment under 18 U.S.C. §  
28 3006A and that such appointment is required by the interests of justice. The Court uses the

1 financial materials submitted with the pauper application to determine financial eligibility for an  
2 inmate. If the financial materials are not attached, the Court cannot do so.

3 IT THEREFORE IS ORDERED that petitioner's application (ECF No. 1) to proceed *in*  
4 *forma pauperis* and his motion (ECF No. 2) for appointment of counsel both are DENIED without  
5 prejudice.

6 IT FURTHER IS ORDERED that petitioner shall have sixty (60) days within which to either  
7 pay the \$5.00 filing fee or file a new and properly completed application to proceed *in forma*  
8 *pauperis* together with a properly executed financial certificate and an inmate account statement.

9 If petitioner fails to either pay the filing fee or submit a properly completed new pauper  
10 application with all required attachments within sixty (60) days, the action will be dismissed  
11 without further advance notice. This is the last advance notice that petitioner will receive prior to  
12 a dismissal of this action.

13 The Clerk of Court shall SEND petitioner two copies of an *in forma pauperis* application  
14 form for incarcerated persons along with one copy of the instructions for same.

15 DATED: September 29, 2017.



19 RICHARD F. BOULWARE, II  
20 United States District Judge  
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