

1 in this case detailing when he requested the documents, who he spoke to about the status of
2 the documents, who he followed up with after he did not receive the documents, and their
3 responses. In other words, if Plaintiff is unable to acquire the necessary documents from
4 prison officials, he must provide the Court with an affidavit that demonstrates that he has done
5 all that he could to acquire the documents by the Court's deadline. Plaintiff's affidavit should
6 include dates of his requests, dates of his follow-up requests, names of the prison officials that
7 he spoke to about the matter, and their responses. If Plaintiff's affidavit demonstrates that he
8 has done all that was possible to acquire the documents, the Court will consider his application
9 to proceed *in forma pauperis* complete.¹

10 **II. CONCLUSION**

11 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND
12 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as
13 the document entitled information and instructions for filing an *in forma pauperis* application.

14 IT IS FURTHER ORDERED that **on or before Friday, May 5, 2017**, Plaintiff shall
15 either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form
16 with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) file an
17 affidavit detailing the efforts he took to acquire a financial certificate and an inmate account
18 statement from prison officials. If Plaintiff chooses to file an affidavit, his affidavit must
19 describe the actions he took to acquire the documents through Wednesday, April 26, 2017.
20 Plaintiff shall not file an affidavit before that date. Additionally, Plaintiff must submit an
21 application to proceed *in forma pauperis* to this Court even if he is unable to acquire the
22 necessary attachments from prison officials.

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

25 IT IS FURTHER ORDERED that the motion for TRO to execute financial certificate
26 (ECF No. 1-2) is denied.

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28 ¹ Plaintiff must still submit an application to proceed *in forma pauperis* with his affidavit.

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IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF No. 1-1), but shall not file it at this time.

April

DATED: This 17th day of ~~March~~, 2017.



United States Magistrate Judge