

1 **UNITED STATES DISTRICT COURT**2 **DISTRICT OF NEVADA**

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4 MARK WEORNER,) Case No. 2:17-cv-01356-JCM-CWH
5 Plaintiff,)
6 v.)
7 STATE OF NEVADA, et al,) **ORDER**
8 Defendant.)
9 _____)

10 Presently before the Court is pro se Plaintiff Mark Weorner's complaint against the State of
11 Nevada and Clark County Court (ECF No. 1), filed on May 11, 2017.

12 Under 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in
13 district court. Additionally, based on the Judicial Conference Schedule of Fees, District Court
14 Miscellaneous Fee Schedule, effective June 1, 2016, a \$50.00 administrative fee applies for filing a
15 civil action in district court, making the total filing fee \$400.00. Under 28 U.S.C. § 1915(a)(1), the
16 court may authorize the commencement of a civil case "without prepayment of fees and costs or
17 security therefor" if a person submits an affidavit including a statement of all assets that
18 demonstrates the person is unable to pay the fees or give security for them.

19 Plaintiff has not included either the required filing fee or an application to proceed *in forma*
20 *pauperis* as required by 28 U.S.C. § 1915(a)(1). Plaintiff's claim cannot proceed until either the
21 filing fee has been paid or a valid *in forma pauperis* application has been submitted to the Court.

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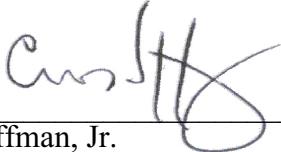
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1 IT IS THEREFORE ORDERED that Plaintiff must either file an application to proceed *in*
2 *forma pauperis* or pay the \$350.00 filing fee, plus the \$50.00 administrative fee, within 30 days from
3 the date of this order.

4 IT IS FURTHER ORDERED that the Clerk shall mail Plaintiff an application to proceed *in*
5 *forma pauperis* along with a copy of this order.

6 IT IS FURTHER ORDERED that Plaintiff's failure to timely comply with this order will
7 result in a recommendation that this case be dismissed.

8 DATED: May 15, 2017.

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11 C.W. Hoffman, Jr.
United States Magistrate Judge

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