

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

7 MICHAEL WILLIAMS,
8 Plaintiff,
9 v.
10 NEVADA DEPARTMENT OF
11 CORRECTIONS et al.,
12 Defendant.

2:17-cv-01987-JCM-NJK

ORDER

I. DISCUSSION

On July 20, 2017, Plaintiff, a prisoner in the custody of the Clark County Detention Center (“CCDC”), submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed an application to proceed *in forma pauperis*. (ECF No. 1, 1-1). On July 26, 2017, this Court issued an order denying Plaintiff’s application to proceed *in forma pauperis* without prejudice to file a new application because Plaintiff’s application had been incomplete. (ECF No. 3). On August 1, 2017, Plaintiff filed a new application to proceed *in forma pauperis*. (ECF No. 4). However, this application is also incomplete.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted a properly executed financial certificate on this Court's approved form.¹ (See ECF No. 4 at 4). As such, the *in forma pauperis* application is denied without prejudice. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted one final opportunity to cure the

¹ An authorized jail official must complete the financial certificate.

1 deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full
2 filing fee for this action. If Plaintiff chooses to file a new application to proceed *in forma*
3 *pauperis* he must file a fully complete application to proceed *in forma pauperis*. If Plaintiff files
4 another incomplete application to proceed *in forma pauperis*, the Court will dismiss the case
5 in its entirety, without prejudice, to file a new case when Plaintiff is able to acquire the
6 necessary documents to file a complete application to proceed *in forma pauperis*.

7 **II. CONCLUSION**

8 For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in*
9 *forma pauperis* (ECF No. 4) is DENIED without prejudice to file a new application.

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

13 IT IS FURTHER ORDERED that, within **thirty (30) days** from the date of this order,
14 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
15 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
16 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
17 administrative fee).

18 IT IS FURTHER ORDERED that, if Plaintiff's next application to proceed *in forma*
19 *pauperis* is incomplete, the Court will dismiss the case, without prejudice, for Plaintiff to file a
20 new case when he is able to acquire the necessary documents to file a complete application
21 to proceed *in forma pauperis*.

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

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1 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF
2 No. 1-1), but shall not file it at this time.
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4 DATED: This 3rd day of August, 2017.
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7 NANCY J. KOPPE
8 United States Magistrate Judge
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