

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Pro se Plaintiff Giovanni Kurtz, who is presently a prisoner in the custody of the Clark County Detention Center, submitted a civil rights complaint under 42 U.S.C. § 1983 on September 8, 2017. (ECF No. 1). Plaintiff did not pay the full filing fee for this case or file an application to proceed *in forma pauperis*.

Under 28 U.S.C. § 1915(a) and Local Rules (“LSR”) 1-1 and 1-2, an incarcerated plaintiff seeking to proceed in a case without first paying the filing fee 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. The court will retain Plaintiff’s complaint (ECF No. 1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, to pay the full filing fee for this action.

IT IS THEREFORE ORDERED that the Clerk of the Court must send Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner.

IT IS FURTHER ORDERED that within thirty days from the date of this order, Plaintiff must either: (1) file a complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee

1 for a civil action (which includes the \$350 filing fee and the \$50 administrative fee). Plaintiff is
2 advised that failure to comply with this order may result in a recommendation that his case be
3 dismissed.

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

6 DATED: September 12, 2017

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9 **C.W. Hoffman, Jr.**
United States Magistrate Judge