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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GUILLERMO TRUJILLO CRUZ,

Case No. 2:18-cv-00693-RFB-VCF

Plaintiff,

ORDER

v.

B. SMITH, *et al.*,

Defendants.

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of Kern Valley State Prison, has filed an application to proceed *in forma pauperis* and has submitted an affidavit with exhibits. (ECF No. 1, 1-1). Plaintiff has not filed a complaint in this matter.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. Therefore, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court. The Court will defer a decision on the application to proceed *in forma pauperis* until Plaintiff submits a proper initiating document for this case.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that a decision on the application to proceed *in forma pauperis* (ECF No. 1) is deferred.

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IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court within thirty (30) days from the date of this order.

IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court shall also send Plaintiff a copy of his affidavit and exhibits (ECF No. 1-1).

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

DATED THIS 19th day of April 2018.



UNITED STATES MAGISTRATE JUDGE