

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Antonio Castaneda,

Plaintiff,

V.

## Director of Nursing HDSP,

Defendant.

Case No. 2:22-cv-01789-ART-EJY

## ORDER

(ECF No. 1)

9 On October 26, 2022, Plaintiff submitted an incomplete application to proceed *in forma*  
10 *pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1.  
11 Plaintiff fails to include a financial certificate and his inmate trust fund account statement for the  
12 previous six-month period. Even if Plaintiff has not been at the Nevada Department of Corrections  
13 a full six-month period, Plaintiff must still submit both a financial certificate and an inmate account  
14 statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

15 To apply for *in forma pauperis* status, the inmate must submit **all three** of the following  
16 documents to the Court:

17 (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, on this Court's  
18 approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),  
19 (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official  
20 (i.e. page 4 of this Court's approved form), and  
21 (3) a copy of the **inmate's prison or jail trust fund account statement for the previous**  
22 **six-month period**.

23 | *Id.*

24 IT IS HEREBY ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF  
25 No. 1) is DENIED without prejudice.

26 IT IS FURTHER ORDERED that on or before **December 19, 2022**, Plaintiff must either pay  
27 the \$402 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed**  
28 ***in Forma Pauperis for Inmate*** on the Court's approved form; (2) a **Financial Certificate** properly

1 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail**  
2 **trust fund account statement for the previous six-month period.**

3 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved  
4 form application to proceed *in forma pauperis* for inmate along with the information and instructions  
5 for filing the same.

6 IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete  
7 application to proceed *in forma pauperis* on or before **December 19, 2022** will result in a  
8 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows  
9 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with  
10 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

11 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),  
12 but will not file it at this time.

14 Dated this 17th day of November, 2022.

15   
16 Elayna J. Youschah  
17 UNITED STATES MAGISTRATE JUDGE