

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Matthew Combs,

Case No. 2:24-cv-00168-ART-EJY

4 Plaintiff,

ORDER

5 v.

6 Oliver, *et al.*,

7 Defendants.

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9 Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together
10 with a Civil Rights Complaint under 42 U.S.C. § 1983 on January 24, 2024. ECF Nos. 1, 1-1. The
11 IFP application is not on this Court’s approved form and fails to include Plaintiff’s inmate financial
12 certificate and trust fund account statement for the previous six-month period. Even if Plaintiff has
13 not been in the custody of the Nevada Department of Corrections (“NDOC”) for a full six-month
14 period, Plaintiff must still submit a financial certificate and his inmate trust fund account statement
15 for the dates he has been at an NDOC facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

16 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma*
17 *pauperis* (ECF No. 1) is DENIED without prejudice.

18 IT IS FURTHER ORDERED that on or before **April 8, 2024**, Plaintiff must either pay the
19 \$405 filing fee for a civil action¹ or file with the Court: (1) a complete **Application to Proceed in**
20 **Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly
21 signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail**
22 **trust fund account statement for the previous six-month period**.

23 IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete
24 application to proceed *in forma pauperis* on or before **April 8, 2024**, will result in a recommendation
25 to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his
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¹ As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b).

1 case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a
2 complete application to proceed *in forma pauperis* or pay the required filing fee.

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

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

8 DATED this 6th day of February, 2024.

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11 ELAYNA J. YOUCHAK
12 UNITED STATES MAGISTRATE JUDGE
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