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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

Fatima Ali Esse,

Plaintiff,

v.

Milhem Esse,

Defendant.

Case No. 2:24-cv-01336-GMN-DJA

**Order**

This matter is before the Court on Plaintiff's filing of initiating documents. (ECF No. 1). Since that date, Plaintiff has failed to pay the filing fee or submit an application/motion to proceed *in forma pauperis* (which means proceeding without paying the filing fee). Although Plaintiff initiated this action by filing a complaint, Plaintiff must apply to proceed *in forma pauperis* in order to proceed with this civil action without prepaying the full \$405 filing fee. The Court will grant Plaintiff one opportunity to file such an application within 30 days. Alternatively, Plaintiff may choose not to file an application to proceed *in forma pauperis* and instead pay the full filing fee of \$405 on or before **August 26, 2024** to proceed with this case.

The Court notes that it appears that Plaintiff may have filed her documents in the wrong court. Plaintiff has filed a complaint for a divorce, which is on a form intended for state court—the Eighth Judicial District Court, Clark County, Nevada. This Court—the United States District Court for the District of Nevada—is federal court and does not typically hear divorce actions. If Plaintiff wishes to pursue her case in state court and abandon this federal court action, she may file a notice of voluntary dismissal instead of paying the filing fee or applying to proceed *in forma pauperis*.

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**IT IS THEREFORE ORDERED** that the Clerk of the Court is kindly directed to send Plaintiff the approved short form application to proceed *in forma pauperis* for a non-inmate as well as its instructions along with a copy of this order.

**IT IS FURTHER ORDERED** that on or before **August 26, 2024**, Plaintiff shall do one of the following:

- (1) Pay the full \$405 filing fee for a civil action (which includes the \$350 filing fee and the \$55 administrative fee);
- (2) file with the Court a completed application to proceed *in forma pauperis* on this Court's approved form; or
- (3) file a notice of voluntary dismissal.

**IT IS FURTHER ORDERED** that, if Plaintiff does not do one of the following by **August 26, 2024**, the undersigned magistrate judge will recommend to the assigned district judge that this action be dismissed.

DATED: July 26, 2024



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DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE