

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 GUSTAVE ERIC KELLER,  
4 Plaintiff,  
5 v.  
6 STATE OF NEVADA,  
7 Defendant.

Case No.: 2:24-cv-01497-APG-BNW

**ORDER**

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9 On August 26, 2024, pro se plaintiff Gustave Eric Keller, an inmate in the custody  
10 of the Clark County Detention Center, applied to proceed *in forma pauperis* in an attempt  
11 to comply with this Court's previous order. (ECF Nos. 3, 4). Plaintiff's application to  
12 proceed *in forma pauperis* is incomplete because Plaintiff did not submit an application  
13 on this Court's approved form and did not attach both a completed financial certificate on  
14 this Court's approved form and an inmate trust fund account statement for the previous  
15 six-month period with the application. The Court will deny Plaintiff's application without  
16 prejudice and give Plaintiff the opportunity to correct these deficiencies **by October 15,**  
17 **2024.**

18 **I. DISCUSSION**

19 The United States District Court for the District of Nevada must collect filing fees  
20 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
21 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
22 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the  
23 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev.  
24 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
25 must submit **all three** of the following documents to the Court: (1) a completed  
26 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
27 Court's approved form, that is properly signed by the inmate twice on page 3; (2) a  
28 completed **Financial Certificate**, which is page 4 of the Court's approved form, that is

1 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
2 **inmate’s prison or jail trust fund account statement for the previous six-month**  
3 **period.** See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
4 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
5 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

6 As explained above, Plaintiff’s application to proceed *in forma pauperis* is  
7 incomplete. The Court will therefore deny Plaintiff’s application to proceed *in forma*  
8 *pauperis* without prejudice and grant Plaintiff until **October 15, 2024**, to either pay the  
9 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
10 required documents.

11 **II. CONCLUSION**

12 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 4)  
13 is denied without prejudice.

14 It is further ordered that Plaintiff has **until October 16, 2024**, to either pay the full  
15 \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* with  
16 all three required documents: (1) a completed application with the inmate’s two signatures  
17 on page 3, (2) a completed financial certificate that is signed both by the inmate and the  
18 prison or jail official, and (3) a copy of the inmate’s trust fund account statement for the  
19 previous six-month period.

20 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
21 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
22 to refile the case with the Court, under a new case number, when Plaintiff can file a  
23 complete application to proceed *in forma pauperis* or pay the required filing fee.

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The Clerk of the Court is directed to send Plaintiff the approved form application to proceed *in forma pauperis* for an inmate and instructions for the same and retain the complaint (ECF No. 1-1) but not file it at this time.

DATED: August 29, 2024.

  
UNITED STATES MAGISTRATE JUDGE