

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 BRANDON LEE GARZA,

Case No. 2:24-cv-02240-CDS-BNW

4 Plaintiff

ORDER

5 v.

6 A. W. WILLIAMS, et al.,

7 Defendants

9 I. DISCUSSION

10 On February 26, 2025, Plaintiff Brandon Lee Garza, an inmate in the custody of
11 the Nevada Department of Corrections (“NDOC”), filed an application to proceed *in forma*
12 *pauperis*. (ECF Nos. 7). However, Plaintiff’s application to proceed *in forma pauperis* is
13 incomplete. Plaintiff has not submitted a completed financial certificate and a copy of his
14 prison trust fund account statement for the previous six-month period with his application.

15 The United States District Court for the District of Nevada must collect filing fees
16 from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights
17 action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28
18 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply
19 to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an
20 inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the
21 following documents to the Court: (1) a completed **Application to Proceed *in Forma***
22 ***Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly
23 signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is
24 page 4 of the Court’s approved form, that is properly signed by both the inmate and a
25 prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account**
26 **statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev.
27 Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her
28 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 **II. CONCLUSION**

3 For the foregoing reasons, it is ordered that the Clerk of the Court will send Plaintiff
4 the approved form application to proceed *in forma pauperis* by an inmate, as well as the
5 document entitled information and instructions for filing an *in forma pauperis* application.

6 It is further ordered that Plaintiff has **until April 11, 2025**, to either pay the full \$405
7 filing fee or file a completed financial certificate and a copy of his prison trust fund account
8 statement for the previous six-month period.

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

14 DATED: March 7, 2025

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UNITED STATES MAGISTRATE JUDGE

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