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6	UNITED STATES DISTRICT COURT	
7	DISTRICT OF NEVADA	
8		
9	WILLIAM CUNDITT,	
10	Plaintiff,	3:12-cv-00046-LRH-VPC
11	vs.)) ORDER
12	NDOC, et al.,) ORDER
13	Defendants.	
14		
15	This action was opened by the Clerk of Court as a civil rights action pursuant to 42 U.S.C.	
16	§ 1983. Plaintiff has submitted an application to proceed <i>in forma pauperis</i> . However, no complaint	
17	has been submitted. An action must have an operative pleading to proceed. See Fed. R. Civ. P. 8(a).	
18	As there is no complaint filed in this action, it will be dismissed, without prejudice to filing a	
19	complaint as a new action.	
20	IT IS THEREFORE ORDERED that this action is DISMISSED, without prejudice, for	
21	failure to present a complaint.	
22	IT IS FURTHER ORDERED that all pending motions, including the application to proceed	
23	in forma pauperis, are DENIED .	
24	IT FURTHER IS ORDERED that the Clerk of the Court shall send plaintiff two copies of	
25	an <i>in forma pauperis</i> application form for a prisoner, one copy of the instructions for same, two	
26	copies of a blank 42 U.S.C. § 1983 prisoner civil rights form, and one copy of instructions for the	
27	same.	
28	///	

IT IS FURTHER ORDERED that plaintiff may file a complaint and in forma pauperis application in a new action, but he may not file further documents in this action. IT IS FURTHER ORDERED that the Clerk of Court shall enter judgment accordingly. Dated this 23rd day of January, 2012. Kiche LARRY R. HICKS UNITED STATES DISTRICT JUDGE