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5	UNITED STATES DISTRICT COURT	
6	DISTRICT OF NEVADA	
7	PAUL S. KLEIN,	
8	Plaintiff,	
9	V.	3:14-cv-587-RCJ-WGC
10	DWIGHT NEVEN et al.,	ORDER
11	Defendants.	
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13	I. DISCUSSION	
14	Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections	
15	("NDOC"), has filed an application to proceed in forma pauperis and a motion for temporary	
16	restraining order. (ECF No. 1, 1-1). Plaintiff has not filed a complaint in this matter and has	
17	filed an incomplete application to proceed in forma pauperis.	
18	Pursuant to Federal Rule of Civil Procedure 3, "[a] civil action is commenced by filing	
19	a complaint with the court." Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30)	
20	days from the date of this order to submit a complaint to this Court.	
21	Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an	
22	application to proceed in forma pauperis and attach both an inmate account statement for the	
23	past six months and a properly executed financial certificate. Plaintiff has not submitted an	
24	inmate account statement. (See ECF No. 1). As such, the in forma pauperis application is	
25	denied without prejudice. Plaintiff will be granted an opportunity to cure the deficiencies of his	
26	application to proceed in forma pauperis, or in the alternative, pay the full filing fee for this	
27	action. If Plaintiff chooses to file a new application to proceed in forma pauperis he must file	
28	a fully complete application to proceed in forma pauperis.	

II. CONCLUSION

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For the foregoing reasons, IT IS ORDERED that Plaintiff shall submit a complaint to this
Court within thirty (30) days from the date of this order.

4 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the 5 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis*(ECF No. 1) is denied without prejudice to file a new application.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff the approved
9 form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled
10 information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within thirty (30) days from the date of this order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
dismissal of this action may result.

IT IS FURTHER ORDERED that the Clerk of the Court shall retain the motion for
 temporary restraining order (ECF No. 1-1), but shall not file it at this time. The Clerk of the
 Court shall send Plaintiff a copy of his motion for temporary restraining order (ECF No. 1-1).

DATED: This <u>19th</u> day of November, 2014.

William of Cobb

United States Magistrate Judge