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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JULIO CESAR NAVAS,

Case No. 3:18-cv-00019-MMD-WGC

6

Plaintiff,

ORDER

7

v.

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JEROME POLAHA, *et al.*,

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Defendants.

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Plaintiff, who is incarcerated at Lovelock Correctional Center (LCC), filed his complaint on January 12, 2018. (ECF Nos. 1, 2.) The complaint was not accompanied by an application to proceed in forma pauperis (IFP) or the filing fee. On February 5, 2018, Plaintiff filed an application to proceed IFP. (ECF No. 3.) That application, however, did not include a certified copy of his trust fund account statement or the institutional equivalent, in accordance with 28 U.S.C. § 1915(a). The court entered an order on March 13, 2018, directing the Clerk to send Plaintiff a copy of the instructions and application to proceed IFP for an inmate, and gave Plaintiff thirty days to file his completed IFP application or pay the filing fee, reiterating that his application had to include a certified copy of his trust fund account statement and the financial certificate signed by a person authorized by NDOC. (ECF No. 4.) Plaintiff was advised that if he elected to pay the filing fee, it was \$400, and that in the event he was granted IFP status, he was still responsible for paying the \$350 filing fee over time, even if his action was dismissed.

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On March 28, 2018, Plaintiff filed another IFP application. (ECF No. 5.) Once again, the application does not contain the certified copy of his trust fund account statement or financial certificate signed by a person authorized by NDOC. Therefore, the prior incomplete IFP application (ECF No. 3) and the pending incomplete IFP application (ECF No. 5) are **DENIED**
WITHOUT PREJUDICE.

1 Plaintiff has **TWENTY-ONE** days from the date of this Order to submit a *complete* IFP
2 application that includes a certified copy of his trust fund account statement and financial
3 certificate signed by a person authorized by NDOC, or to pay the filing fee. In the event a complete
4 IFP application is not filed, or the filing fee is not paid within twenty-one days, dismissal of this
5 action without prejudice will be recommended.

6 **IT IS SO ORDERED.**

7 DATED: May 14, 2018.

8 *William G. Cobb*

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10 WILLIAM G. COBB
11 UNITED STATES MAGISTRATE JUDGE
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