

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 LAMONT ROBERTS,
4 Plaintiff,

5 v.

6 WASHOE COUNTY SHERIFFS
7 DETENTION FACILITY, et al.,
8 Defendants.

Case No.: 3:24-cv-00039-ART-CSD

ORDER

9 On January 24, 2024, pro se plaintiff Lamont Roberts, an inmate at Washoe
10 County Detention Facility (“WCDF”), submitted a complaint under 42 U.S.C. § 1983 and
11 applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). The application to proceed *in*
12 *forma pauperis* is incomplete because Plaintiff failed to submit an inmate trust fund
13 account statement for the previous six-month period with it. Even if Plaintiff has not been
14 at WCDF for a full six-month period, he must still submit both a financial certificate and
15 an account statement for the dates that he has been at the facility.

16 This Court must collect filing fees from parties initiating civil actions. 28 U.S.C.
17 § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which
18 includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any
19 person who is unable to prepay the fees in a civil case may apply to the court for leave to
20 proceed *in forma pauperis*.” Nev. L.R. LSR 1-1. For an inmate to apply for *in forma*
21 *pauperis* status, the inmate must submit **all three** of the following documents to the Court:
22 (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages
23 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3;
24 (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that
25 is properly signed by both the inmate and a prison or jail official; and (3) a copy of the
26 **inmate’s prison or jail trust fund account statement for the previous six-month**
27 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. L.R. LSR 1-2. *In forma pauperis* status
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1 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that
2 the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

3 It is therefore ordered that Plaintiff has **until April 8, 2024**, to either pay the full
4 \$405 filing fee or file with the Court a copy of the inmate's trust fund account statement
5 for the previous six-month period or, if shorter, the dates he's been at WCDF.

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

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

13 DATED THIS 6th day of February 2024.

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17 UNITED STATES MAGISTRATE JUDGE
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