

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DARYN S. RICHARDSON,
Plaintiff,
v.
DIKIN, et al.,
Defendants.

Case No.: 3:25-cv-00115-MMD-CSD

ORDER

On February 26, 2025, plaintiff Daryn Richardson, an inmate in the custody of the
Idaho Department of Corrections, submitted an application to proceed *in forma
pauperis* and a civil-rights complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff's
habeas pauperis application is incomplete because Plaintiff failed to provide a completed
financial certificate and an inmate trust fund account statement for the previous six-month
period with it.

Plaintiff must pay the required filing fee or file a complete application to proceed *in forma pauperis* to continue with this action. The fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1). (2): Nev. LSR 1-2. *In forma pauperis* status

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's incomplete application to proceed *in forma*
4 *pauperis* (ECF No. 1) is denied without prejudice.

5 It is further ordered that Plaintiff has **until May 5, 2025**, to either pay the full \$405
6 filing fee or file: (1) a new completed application to proceed *in forma pauperis* with the
7 inmate's two signatures on page 3, (2) a completed financial certificate that is signed both
8 by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund
9 account statement for the previous six-month period.

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

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

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18 DATED: March 5, 2025

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UNITED STATES MAGISTRATE JUDGE