UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD ARMENTA,

Plaintiff,

v.

SHAH, *et al.*,

Defendants.

Case No. 2:22-cv-00415-JDP (PC)

ORDER DIRECTING PLAINTIFF TO FILE A COMPLETED APPLICATION TO PROCEED IN FORMA PAUPERIS OR PAY THE FILING FEE

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not, however, filed a completed *in forma pauperis* affidavit or paid the required filing fee of $350.00 plus the $52.00 administrative fee.[1] *See* 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff will be provided the opportunity either to submit the appropriate affidavit in support of a request to proceed *in forma pauperis* or to submit the required fees totaling $402.00.

The revised *in forma pauperis* application form includes a section that must be completed by a prison official, which must be accompanied by a certified copy of plaintiff's prison trust account statement for the six-month period immediately preceding the filing of this action.

[1] If leave to file *in forma pauperis* is granted, plaintiff will still be required to pay the filing fee but will be allowed to pay it in installments. Litigants proceeding *in forma pauperis* are not required to pay the $52.00 administrative fee.

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However, this section is for non-CDCR incarcerated prisoners only. Because plaintiff is housed in CDCR custody, CDCR will email plaintiff's certified financial information directly to the court. Plaintiff must still provide a signed and dated application to proceed *in forma pauperis*.

In accordance with the above, it is hereby ORDERED that:

1. Plaintiff's incomplete application to proceed *in forma pauperis*, ECF No. 2, is denied without prejudice.

2. Plaintiff shall submit, within thirty days from the date of this order, either a properly completed application to proceed *in forma pauperis* on the form provided by the Clerk of Court, or the required fees in the amount of $402.00. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed.

3. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner.

IT IS SO ORDERED.

Dated: March 8, 2022

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE