

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Ollivier v. Proudly, et al.

Ollivier v. Proudly · No. 2:25-cv-02028 SCR P · Decided September 10, 2025

OPINION

Proudly

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 RONALD G. OLLIVIER, No. 2:25-cv-02028 SCR P

12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 DOUGLAS PROUDY, et al., 15 Defendants. 16 17 Plaintiff is a county inmate proceeding pro
se with a civil rights action under 42 U.S.C. § 18 1983. Plaintiff filed the operative complaint and
a motion to proceed in forma pauperis on July 19 21, 2025. (ECF Nos. 1, 2.) However, the
certificate portion of the in forma pauperis application, 20 which must be completed by plaintiff's
institution of incarceration, was not filled out. Nor did 21 plaintiff file a certified copy of the
inmate trust account statement for the six-month period 22 immediately preceding the filing of the
complaint. See 28 U.S.C. § 1915(a)(2). On August 4, 23 2025, the undersigned ordered plaintiff to
fix these issues within thirty days. (ECF No. 4.) In 24 response, plaintiff filed miscellaneous
documents related to deposits into his jail commissary 25 account (ECF No. 6) but has not
submitted a completed in forma pauperis application and a copy 26 of his inmate trust account
statement with the required certification in support of the application. 27 Plaintiff will be given a
final chance to explain why the action should not be dismissed for 28 failure to either pay the
filing fee or submit a completed application for leave to proceed in forma 1 | pauperis. Plaintiffs
failure to respond to this order will result in a recommendation that the 2 || action be dismissed
without prejudice. See Olivares v. Marshall, 59 F.3d 109, 112 (9th Cir. 1995) 3 | (affirming
dismissal for failure to pay partial filing fee under IFP statute); Local Rule 110 (failure 4 || to
comply with court orders). 5 Good cause appearing, IT IS HEREBY ORDERED that: 6 1.
Plaintiff shall show cause, in writing, within twenty-one (21) days of service of 7 || this order, why
the failure to pay the required filing fees or file an in forma pauperis affidavit 8 | should not result
in a recommendation that this case be dismissed. If Plaintiff fails to respond, the 9 || court will
recommend dismissal of this case for failure to pay the filing fee and failure to comply 10 | with

the court's order. 11 2. The Clerk of the Court is directed to send plaintiff an Application to
Proceed In 12 | Forma Pauperis By a Prisoner. 13 | DATED: September 9, 2025

SEAN C. RIORDAN

16 UNITED STATES MAGISTRATE JUDGE

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