



Adams v. PACER Service Center et al

2024 | Cited 0 times | D. Nevada | February 28, 2024

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * BRANDON ADAMS,

Plaintiff, v. PACER SERVICE CENTER; ANNA MARIE GARCIA,

Defendants.

Case No. 2:24-cv-00392-APG-EJY

ORDER

Plaintiff, proceeding pro se, submitted a Civil Rights Complaint on February 26, 2024 (ECF No. 1). However, Plaintiff neither paid the \$405 filing fee to commence a civil action nor filed an application to proceed in forma pauperis ("IFP"). Under 28 U.S.C. § 1915(a)(1) and the U.S. District Court for the District of Nevada Local Rule LSR 1-1 Plaintiff must do so if he wishes to proceed without paying the filing fee. Accordingly, IT IS HEREBY ORDERED that the Clerk of Court must mail Plaintiff the approved form application to proceed in forma pauperis by a non-prisoner as well as the document entitled instructions for filing an in forma pauperis application. IT IS FURTHER ORDERED that on or before March 29, 2024, Plaintiff must either file a complete application to proceed in forma pauperis by a non-prisoner or pay the \$405 filing fee required to commence a civil action. IT IS FURTHER ORDERED that the Clerk of Court will retain Plaintiff's Complaint (ECF No. 1) but will not file it at this time.

IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete application to proceed in forma pauperis by a non-prisoner on or before March 29, 2024 will result in a recommendation to dismiss this action without prejudice. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a complete application to proceed in forma pauperis or pay the required filing fee.

Dated this 28th day of February, 2024.

ELAYNA J. YOUCHAH UNITED STATES MAGISTRATE JUDGE

