

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 26 2016

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAMES REEDOM,

Plaintiff-Appellant,

v.

SOCIAL SECURITY
ADMINISTRATION; et al.,

Defendants-Appellees.

No. 15-16983

D.C. No. 1:15-cv-00005

MEMORANDUM*

Appeal from the United States District Court
for the District of Guam
Frances Tydingco-Gatewood, Chief Judge, Presiding

Submitted August 16, 2016**

Before: O'SCANNLAIN, LEAVY, and CLIFTON, Circuit Judges.

James Reedom appeals pro se from the district court's order dismissing his action for failure to pay the filing fee after the denial of his application to proceed in forma pauperis ("IFP"). We have jurisdiction under 28 U.S.C. § 1291. We

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

review for an abuse of discretion. *Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015). We reverse and remand.

The district court denied Reedom's IFP application because it determined that Reedom did not make a sufficient showing of indigency. However, the filing fee is \$400 and Reedom receives less than \$500 per month in supplemental security income and has no other assets. *See id.* ("An affidavit in support of an IFP application is sufficient where it alleges that the affiant cannot pay the court costs and still afford the necessities of life."). Thus, we reverse and remand for further proceedings.

REVERSED and REMANDED.