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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Thomas A. Callan,

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No. CV-06-1024-PHX-LOA

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Plaintiff,

)

**ORDER**

11

vs.

)

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Commissioner of the Internal Revenue)  
Service, the Department of Treasury, The)  
13 Disclosure Office U. S. Tax Court

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Defendants.

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This Court has received and considered Plaintiff's Motion to Proceed In Forma Pauperis and Supporting Information (Dkt. #3).

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Plaintiff has failed to fully answer question numbers 1(a) and (b) wherein it states:

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"1. 'Are you presently employed?' to which the Plaintiff has answered 'No'.

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a. If the answer is 'yes', state the amount of your salary or wages per month

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and give the name and address of your employer." The Plaintiff has not given

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any response to 1(a) in light of his response to number 1.

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"b. If the answer is 'no', state the date of the last employment and the amount

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of the salary and wages per month which you received." The Plaintiff has

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answered "self-employed".

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The undersigned considers "self-employment" as a form of employment to which the

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Plaintiff should have answered "Yes" to question number 1 and set forth the information

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required in number 1(a).

1 Plaintiff has not fully answered question number 3 to which Plaintiff has circled "Yes"  
2 to 3(a). Plaintiff has not set forth the amount of money he has received as a result of his  
3 answer to 3(a) during the past twelve months.

4 Plaintiff has failed to answer question number 6 at all.

5 Further, Plaintiff has crossed out a portion of the declaration statement as follows:

6 "I declare ~~under penalty of perjury~~ that the forgoing is true and correct."

7 Pursuant to Local Rule 3.3, LRCiv, Rules of Practice, effective December 1, 2005 the Court  
8 will not accept the omission by the Plaintiff that he will not declare "under penalty of  
9 perjury" that the supporting information is true and correct.

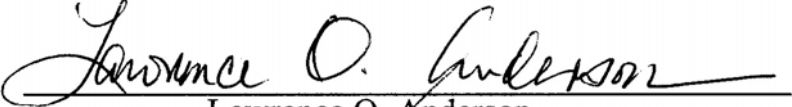
10 Further, the undersigned cannot read what Plaintiff has printed on the line underneath  
11 the signature of Plaintiff.

12 **IT IS ORDERED** that Plaintiff shall have ten days from the entry of this Order to file  
13 an Amended Motion to Proceed In Forma Pauperis and Supporting Information which  
14 legible, has been completed in full and under declaration of penalty for its truth and  
15 correctness **or** pay the filing fee of \$350.00.

16 **IT IS FURTHER ORDERED** that if Plaintiff fails to timely file an Amended Motion  
17 to Proceed In Forma Pauperis as ordered herein, Plaintiff shall show cause in writing by  
18 **April 28, 2006** why this matter should not be dismissed without prejudice.

19 The Clerk shall forthwith notify the Plaintiff of the entry of this Order.

20 DATED this 14<sup>th</sup> day of April, 2006.

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23 Lawrence O. Anderson  
24 United States Magistrate Judge  
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