

UNITED STATES DISTRICT COURT

FRANK XAVIER Rodriguez  
Plaintiff V-2625

APPLICATION TO PROCEED  
IN FORMA PAUPERIS  
BY A PRISONER

FILED

AUG 25 2008

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature] DEPUTY CLERK

vs.

W. O'BRIAN, et AL.  
Defendant(s)

CASE NUMBER: 2:08cv1808 NAD

I, FRANK XAVIER Rodriguez, declare that I am the plaintiff in the above-entitled proceeding; that, in support of my request to proceed without prepayment of fees under 28 U.S.C. § 1915, I declare that I am unable to pay the fees for these proceedings or give security therefor and that I am entitled to the relief sought in the complaint.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated:  Yes  No (If "No" DO NOT USE THIS FORM)

If "Yes" state the place of your incarceration. MULE CREEK STATE PRISON

Have the institution fill out the Certificate portion of this application and attach a certified copy of your prison trust account statement showing transactions for the past six months.

2. Are you currently employed?  Yes  No

a. If the answer is "Yes" state the amount of your pay.

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period, and the name and address of your last employer.

(PC) Rodriguez v. O&#039;Brian et al

Doc. 12 Att. 1

July, 1998 LABOR

3. In the past twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment  Yes  No

b. Rent payments, interest or dividends  Yes  No

c. Pensions, annuities or life insurance payments  Yes  No

d. Disability or workers compensation payments  Yes  No

e. Gifts or inheritances  Yes  No

f. Any other sources  Yes  No

Gifted money Now & then of 20 to 30\$ every 90 days

If the answer to any of the above is "Yes" describe by that item each source of money and state the amount received and what you expect you will continue to receive. Please attach an additional sheet if necessary.

4. Do you have cash or checking or savings accounts?  Yes  No

If "Yes" state the total amount: \_\_\_\_\_

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property?  Yes  No

If "Yes" describe the property and state its value. \_\_\_\_\_

6. Do you have any other assets?  Yes  No

If "Yes" list the asset(s) and state the value of each asset listed.

7. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support. *child support But unable to pay for being incarcerated in CALIF State Prison*

I hereby authorize the agency having custody of me to collect from my trust account and forward to the Clerk of the United States District Court payments in accordance with 28 U.S.C. § 1915(b)(2).

I declare under penalty of perjury that the above information is true and correct.

Aug 17<sup>th</sup> 2008  
DATE

Frank Xavier Rodriguez  
SIGNATURE OF APPLICANT

**CERTIFICATE**

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 0 on account to his/her credit at Mule Creek State Prison (name of institution). I further certify that during the past six months the applicant's average monthly balance was \$ 0. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ 0.

(Please attach a certified copy of the applicant's trust account statement showing transactions for the past six months.)

8-18-08  
DATE

S. J. Littlejohn  
SIGNATURE OF AUTHORIZED OFFICER

CALIFORNIA DEPARTMENT OF CORRECTIONS

MULE CREEK STATE PRISON  
INMATE TRUST ACCOUNTING SYSTEM  
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JAN. 18, 2008 THRU AUG. 18, 2008

ACCOUNT NUMBER : V26251

BED/CELL NUMBER: A 0100000000148L

ACCOUNT NAME : RODRIGUEZ, FRANK XAVIER

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
08/07/2008	H109	LEGAL POSTAGE HOLD	0804 0535	2.36

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	2.36	0.00
					CURRENT AVAILAEBLE BALANCE
					2.36

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THE WITHIN INSTRUMENT IS A CORRECT  
COPY OF THE TRUST ACCOUNT MAINTAINED  
BY THIS OFFICE.

ATTEST: 8-18-08

CALIFORNIA DEPARTMENT OF CORRECTIONS

BY *[Signature]*  
TRUST OFFICE

FOR THE CLERK

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