

Name: GERALD WEST

CDC No: 54421-060

Address: F.C.I P.O. BOX 33

TERRE HAUTE, INDIANA 47808

FILED

AUG 10 2009

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

GERALD A. WEST

Plaintiff/Petitioner,

vs.

CASE NUMBER: 1:09-cv-01277-DLB (PC)

APPLICATION TO PROCEED
IN FORMA PAUPERIS
BY A PRISONER

Defendants/Respondent.

FEDERAL BUREAU OF PRISONS, ET AL,

I, GERALD WEST, 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. section 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.

(PC) West v. Federal Bureau of Prisons et al

Doc. 9 Att. 1

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)

State the place of your incarceration. F.C.I TERRE HAUTE, INDIANA

2. Are you currently employed (includes prison employment)? 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.

3. Have you received any money from the following sources over the last twelve months?

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

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

4. Do you have cash (includes balance of 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 all persons dependent on you for support, stating your relationship to each person listed and how much you contribute to their support.

IMPORTANT: **This form must be dated and signed below in order for the court to consider your application.**

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. section 1915(b)(2).

8/3/09
DATE

Herald A. W. J.
SIGNATURE OF APPLICANT

NOTE: Within sixty days from the date of this application you must forward to the court a certified copy of your prison trust account statement showing transactions for the past six months.

(Revised 01/2008)

All Transactions



Inmate Reg #: 54421060
 Inmate Name: WEST, GERALD
 Report Date: 07/14/2009
 Report Time: 9:08:01 AM

Current Institution: Terre Haute FCI
 Housing Unit: THA-Z-A
 Living Quarters: Z01-004UAD

Date/Time	Transaction Type	Amount	Ref#	Payment#	Balance
7/13/2009 3:40:16 PM	Inmate Co-pay	(\$2.00)	IICP0709		\$271.65
7/8/2009 10:07:35 AM	Sales	(\$7.40)	42		\$273.65
7/4/2009 4:07:13 PM	Western Union	\$50.00	33319809		\$281.05
6/30/2009 9:58:53 AM	Sales	(\$0.50)	28		\$231.05
6/28/2009 10:04:47 AM	Western Union	\$50.00	33319409		\$231.55
6/24/2009 8:44:35 AM	Sales	(\$4.90)	12		\$181.55
6/17/2009 10:06:18 AM	Sales	(\$2.10)	55		\$186.45
6/10/2009 10:25:44 AM	Sales	(\$5.30)	73		\$188.55
6/3/2009 2:10:00 PM	Western Union	\$50.00	33317609		\$193.85
6/3/2009 6:51:26 AM	Sales	(\$16.10)	26		\$143.85
5/29/2009 6:58:59 AM	Photo Copies	(\$0.60)	IJV0177		\$159.95
5/29/2009 6:48:47 AM	Photo Copies	(\$1.05)	IJV0177		\$160.55
5/29/2009 6:47:57 AM	Photo Copies	(\$0.90)	IJV0177		\$161.60
5/28/2009 8:24:57 AM	Sales	(\$26.40)	56		\$162.50
5/20/2009 3:10:42 PM	Sales	(\$18.40)	206		\$188.90
5/12/2009 10:40:44 AM	Sales	(\$6.40)	10		\$207.30
5/6/2009 6:12:45 PM	Western Union	\$40.00	33315609		\$213.70
5/6/2009 11:57:34 AM	Sales	(\$14.95)	193		\$173.70
4/28/2009 1:00:59 PM	Sales	(\$10.25)	245		\$188.65
4/22/2009 7:44:29 AM	Sales	(\$10.50)	30		\$198.90
4/20/2009 8:25:29 AM	Photo Copies	(\$29.70)	IJV0161		\$209.40
4/15/2009 9:01:54 AM	Sales	(\$27.30)	34		\$239.10
4/8/2009 9:51:37 AM	Sales	(\$36.20)	110		\$266.40
4/8/2009 5:04:38 AM	Payroll - IPP	\$0.12	IIPP0309		\$302.60
4/6/2009 6:15:59 PM	Western Union	\$50.00	33313409		\$302.48
4/1/2009 8:09:09 AM	Sales	(\$27.45)	61		\$252.48
3/18/2009 12:30:40 PM	Sales	(\$2.20)	33		\$279.93
3/18/2009 12:30:24 PM	Sales	(\$25.20)	32		\$282.13
3/17/2009 10:08:48 AM	Western Union	\$40.00	33312009		\$307.33
3/11/2009 7:24:32 AM	Sales	(\$5.60)	17		\$267.33
3/9/2009 5:16:21 AM	Payroll - IPP	\$7.68	IIPP0209		\$272.93
3/4/2009 8:12:19 AM	Sales	(\$21.65)	46		\$265.25
2/25/2009 6:39:45 AM	Sales	(\$17.70)	12		\$286.90
2/25/2009 6:38:39 AM	Sales	\$0.00	10		\$304.60
2/19/2009 2:44:15 PM	Sales	(\$22.80)	158		\$304.60
2/19/2009 6:13:01 AM	Sales	\$0.00	4		\$327.40
2/16/2009 8:32:28 PM	Phone Withdrawal	(\$2.00)	TFN0216		\$327.40
2/12/2009 8:36:38 PM	Phone Withdrawal	(\$1.00)	TFN0212		\$329.40
2/11/2009 8:31:14 PM	Phone Withdrawal	(\$3.00)	TFN0211		\$330.40
2/11/2009 6:55:14 AM	Sales	(\$34.60)	14		\$333.40
2/9/2009 5:20:32 AM	Payroll - IPP	\$22.08	IIPP0109		\$368.00
2/6/2009 7:15:59 PM	Western Union	\$60.00	33309309		\$345.92
2/6/2009 10:56:01 AM	Phone Withdrawal	(\$5.00)	TFN0206		\$285.92
2/5/2009 6:20:48 AM	Sales	(\$46.25)	2		\$290.92
1/29/2009 6:27:34 AM	Sales	(\$26.75)	4		\$337.17
1/21/2009 6:31:45 PM	Sales	(\$43.60)	158		\$363.92
1/21/2009 11:44:51 AM	Sales	(\$13.00)	16		\$407.52
1/17/2009 7:10:32 PM	Phone Withdrawal	(\$7.00)	TFN0117		\$420.52
1/13/2009 9:03:48 PM	Phone Withdrawal	(\$3.00)	TFN0113		\$427.52
1/12/2009 2:50:02 PM	Sales	(\$1.85)	42		\$430.52

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D. White
 D. White Counselor
 7/14/09

Inmate Inquiry

Inmate Reg #:	54421060	Current Institution:	Terre Haute FCI
Inmate Name:	WEST, GERALD	Housing Unit:	THA-Z-A
Report Date:	07/14/2009	Living Quarters:	Z01-004UAD
Report Time:	9:08:21 AM		

[General Information](#) |
 [Account Balances](#) |
 [Commissary History](#) |
 [Commissary Restrictions](#) |
 [Comments](#)

General Information

Administrative Hold Indicator: No
 No Power of Attorney: No
 Never Waive NSF Fee: No
 Max Allowed Deduction %: 100
 PIN: 5333
 PAC #: 660418108
 FRP Participation Status: Completed
 Arrived From: THA
 Transferred To:
 Account Creation Date: 1/18/2005
 Local Account Activation Date: 6/11/2009 4:33:26 AM

 Sort Codes:
 Last Account Update: 7/14/2009 3:28:51 AM
 Account Status: Active
 Phone Balance: \$0.12

FRP Plan Information

FRP Plan Type	Expected Amount	Expected Rate
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Account Balances

Account Balance: \$271.65
 Pre-Release Balance: \$0.00
 Debt Encumbrance: \$0.00
 SPO Encumbrance: \$0.00
 Other Encumbrances: \$0.00
 Outstanding Negotiable Instruments: \$0.00
 Administrative Hold Balance: \$0.00
 Available Balance: \$271.65
 National 6 Months Deposits: \$369.88
 National 6 Months Withdrawals: \$525.75
 National 6 Months Avg Daily Balance: \$258.52
 Local Max. Balance - Prev. 30 Days: \$281.05
 Average Balance - Prev. 30 Days: \$226.20

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GERALD A. WEST,

1:09-cv-01277-DLB (PC)

Plaintiff,

ORDER TO SUBMIT SIGNED APPLICATION
TO PROCEED IN FORMA PAUPERIS
OR PAY FILING FEE WITHIN 45 DAYS

v.

FEDERAL BUREAU OF PRISONS, et al.,

Defendants.

Plaintiff is a federal prisoner proceeding pro se in a civil rights action pursuant to Bivens vs. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff has submitted an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. However, plaintiff's application to proceed in forma pauperis was deficient in that it did not include plaintiff's required original signature.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma pauperis.
2. Within forty-five (45) days of the date of service of this order, plaintiff shall submit the attached application to proceed in forma pauperis, completed and signed, or in the alternative, pay the \$350.00 filing fee for this action. Failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: July 26, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE