

Name: Lupe Nieto, Jr.
CDC No: JID# 0913885
Address: P.O. Box 872
Fresno, CA 93712

FILED
AUG 18 2010
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

CASE NUMBER: 1:10-cv-01397-AWI-GSA

Lupe Nieto, Jr.
Plaintiff/Petitioner,

vs.
Clavis Police Officer Drake Hodge,
Clavis Police Department, County
of Fresno, DOES 1 through 20
inclusive, Defendants/Respondent.

APPLICATION TO PROCEED
IN FORMA PAUPERIS
BY A PRISONER

I, LUPE NIETO, Jr., 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.

Lupe Nieto, Jr. v. Drake Hodge et al.

Doc. 25 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. Fresno County Jail (Fresno, CA)

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?
Worked at Walmart approximately "10" years ago in Fresno, CA. minimum wage

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).

See Attached Inmate Account Statement Covering Money Deposits From 11-19-2009 through 08-11-2010.

- 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.

None. I am incarcerated.

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).

08-11-10
DATE

Lupe Nieto
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)

FRESNO COUNTY SHERIFF'S DEPARTMENT

Trust Accounting: Inmate Account Statement

August 11, 2010

Begin Date: 11/19/2009
End Date: 08/11/2010

Offender: NIETO, LUPE JR

ID: 0913885

FBI ID: 955240CB6

SID: A09397904

SSN: 566-59-8108

Housing: FRESNO COUNTY JAIL, MJ, 05, 0F, 02

110 CASH

TransDate	Transaction	Amount	Balance	Check No	Payee	Comments
11/19/2009	STARTING BALANCE		0.00			
12/03/2009	MO17659088190	27.00	27.00	MO176590 88190		
12/07/2009	MO17660655641	20.00	47.00	MO176606 55641		
12/08/2009	CANTEEN PURCHASE	(39.80)	7.20			CANTEEN PURCHASE
12/15/2009	CANTEEN PURCHASE	(7.04)	0.16			CANTEEN PURCHASE
12/21/2009	MO17659233134	100.00	100.16	MO176592 33134		
12/22/2009	CANTEEN PURCHASE	(69.90)	30.26			CANTEEN PURCHASE
12/29/2009	CANTEEN PURCHASE	(29.95)	0.31			CANTEEN PURCHASE
01/11/2010	MO17877158875	30.00	30.31	MO178771 58875		
01/11/2010	MO17877158886	25.00	55.31	MO178771 58886		
01/12/2010	CANTEEN PURCHASE	(37.40)	17.91			CANTEEN PURCHASE
01/19/2010	CANTEEN PURCHASE	(11.34)	6.57			CANTEEN PURCHASE
01/25/2010	MO17391512970	40.00	46.57	MO173915 12970		
01/26/2010	CANTEEN PURCHASE	(46.55)	0.02			CANTEEN PURCHASE
02/01/2010	MO17659941715	20.00	20.02	MO176599 41715		
02/02/2010	CANTEEN PURCHASE	(19.54)	0.48			CANTEEN PURCHASE
04/05/2010	MO17934158215	40.00	40.48	MO179341 58215		
04/06/2010	CANTEEN PURCHASE	(39.60)	0.88			CANTEEN PURCHASE
04/14/2010	COURT ORDER	(0.88)	0.00			Court ordered Child support Case #569227-2
	Ending Balance		0.00			