

**FILED**

DEC 6 2010

Nokkuwa K. Ervin  
Plaintiff

J41091

**APPLICATION TO PROCEED  
IN FORMA PAUPERIS  
BY A PRISONER**

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

vs.

M. Biter, Warden, et, al,  
Defendant

In Re Case No 1:10CV-01859 (AWI) (SKO)  
Motion to Amend and Convert said 11-22-10  
Complaint attached  
**CASE NUMBER:**

I, Nokkuwa K. Ervin, 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. Kern Valley 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. Doc. 21 Att. 1

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 My father sent me \$500  
07-19-10.

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.

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. *None*

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.

11.01.10  
DATE

*Robert K...*  
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 *KVSP* (name of institution). I further certify that during the past six months the applicant's average monthly balance was \$ *4.13*. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ *8.93*.

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

11-18-10  
DATE

*Mike Fray...*  
SIGNATURE OF AUTHORIZED OFFICER

Institution: KVSP

**Inmate Statement Report**

CDCR#	Inmate/Group Name	Institution	Unit	Cell/Bed
J41091	ERVIN, NOKKUWA	KVSP	ASU200000000	00126L

Current Available Balance: \$0.00

**Transaction List**

Transaction Date	Institution	Transaction Type	Source Doc#	Receipt#/Check#	Amount	Account Balance
05/18/2010	KVSP	BEGINNING BALANCE				\$11.16
05/18/2010	KVSP	MEDICAL COPAY	1180073MD/041610		(\$5.00)	\$6.16
05/25/2010	KVSP	SALES	15		(\$2.80)	\$3.36
06/07/2010	KVSP	PAY - SUPPORT	MAY2010/PG.07		\$3.60	\$6.96
06/07/2010	KVSP	RESTITUTION FINE PAYMENT			(\$1.80)	\$5.16
06/07/2010	KVSP	ADMINISTRATIVE FEE			(\$0.18)	\$4.98
06/07/2010	KVSP	COPY CHARGES	COPY1/6/10ENT1/20 /10		(\$0.18)	\$4.80
06/14/2010	KVSP	LEGAL MAIL	SPPLS6/08/10ENT0 6/14		(\$1.10)	\$3.70
06/14/2010	KVSP	LEGAL MAIL	SPPLS6/08/10ENT0 6/14		(\$2.26)	\$1.44
07/06/2010	KVSP	LEGAL MAIL	SPPLS6/27/10ENT7/ 06		(\$1.10)	\$0.34
07/13/2010	KVSP	LEGAL MAIL	SPPLS7/11/10ENT7/ 13		(\$0.34)	\$0.00
07/22/2010	KVSP	INMATE DEPOSIT	MR7/20/10 MO#6732	2818	\$50.00	\$50.00
07/22/2010	KVSP	RESTITUTION FINE PAYMENT			(\$25.00)	\$25.00
07/22/2010	KVSP	ADMINISTRATIVE FEE			(\$2.50)	\$22.50
07/22/2010	KVSP	LEGAL MAIL	SPPLS7/11/10ENT7/ 13		(\$0.76)	\$21.74
07/22/2010	KVSP	LEGAL MAIL	SPPLS7/19/10ENT7/ 21		(\$1.74)	\$20.00
08/01/2010	KVSP	PLRA	04-0247 J (NLS)	233041	(\$10.00)	\$10.00
08/03/2010	KVSP	LEGAL MAIL	SPPLS7/29/10ENT8/ 3		(\$0.70)	\$9.30
08/10/2010	KVSP	LEGAL MAIL	SPPLS8/9/10ENT8/1 0		(\$9.30)	\$0.00

**Encumbrance List**

Encumbrance Type	Transaction Date	Amount
**No information was found for the given criteria.**		

**Obligation List**

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblig	Current Balance
PLRA	04-0247 J (NLS)	\$45.47	(\$10.00)	\$22.69
PLRA	L 01453	\$157.89	\$0.00	\$151.13
COPY CHARGES	COPY1/6/10ENT1/20 /10	\$7.30	(\$0.18)	\$0.46

**Inmate Statement Report**

Obligation Type	Court Case#	Original Owed Balance	Sum of Tx for Date Range for Oblg	Current Balance
COPY CHARGES	COPY7/05/10ENT7/13	\$2.60	\$0.00	\$2.60
COPY CHARGES	COPY8/23/10ENT8/30	\$3.30	\$0.00	\$3.30

**Restitution List**

Restitution	Court Case#	Original Owed Balance	Interest Accrued	Sum of Tx for Date Range for Oblg	Current Balance
RESTITUTION FINE	C95992	\$5,000.00	\$0.00	(\$26.80)	\$4,634.03