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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PHILLIP SANDERS,

Plaintiff,

v.

MAGEC METRO TACTICAL TEAM, et al.,

Defendants.

CASE NO. 1:11-cv-184-LJO-MJS

ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION TO PROCEED IN
FORMA PAUPERIS

(ECF No. 2)

CLERK TO SEND PLAINTIFF IFP FORM

PLAINTIFF TO FULLY AND COMPLETELY
FILL OUT FORM AND RETURN IT TO THE
COURT NOT LATER THAN MARCH 15,
2011

On February 9, 2011, Plaintiff Phillip Sanders filed an Application to Proceed In Forma Pauperis. (ECF No. 2.) In response to Question 3 on the Application, which asks whether Plaintiff has received any money in the past 12 months, Sanders checked "Yes" in a box indicating that he had received payments from disability or workers compensation. Question 3 provides: "If the answer to any of the above is 'Yes,' describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive." Although Sanders had checked "Yes," indicating that he had received money, he neglected to provide information regarding the source of the money, the amount

1 received in the past 12 months, and the amount he expected to continue to receive.
2 Plaintiff also failed to answer Question 6 entirely. These various answers and non-answers
3 cause the Court to question whether Plaintiff fully and completely answered Question 5
4 when he indicated that his only "thing of value" was a house. If Plaintiff has any other
5 significant assets (e.g., automobile), he must include them and provide their value. Plaintiff
6 is reminded that, in signing the IFP form, he is declaring under penalty of perjury that the
7 information contained therein is true. Without such sworn information, the Court cannot
8 determine whether Plaintiff is entitled to proceed without payment of fees.
9

10 Accordingly, Plaintiff's Motion to Proceed In Forma Pauperis is DENIED without
11 prejudice. The Clerk shall send Plaintiff a blank IFP form. Plaintiff is to fully and accurately
12 complete the form and return it to the Court not later than **March 15, 2011**. Failure to
13 comply with this deadline may result in dismissal of this action for failure to prosecute.
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15 IT IS SO ORDERED.

16 Dated: February 15, 2011

17 /s/ Michael J. Song
18 UNITED STATES MAGISTRATE JUDGE
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