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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

EDWARD L. HALL,)	Case No.: 1:11-cv-00693 JLT
Plaintiff,)	ORDER REQUIRING PLAINTIFF TO FILE A SECOND AMENDED APPLICATION TO PROCEED IN FORMA PAUPERIS
v.)	
COMMISSIONER OF SOCIAL SECURITY,)	
Defendant.)	

Plaintiff Edward L. Hall (“Plaintiff”) is proceeding *pro se* in this action. Plaintiff filed his Complaint on May 2, 2011 (Doc. 1), along with a motion to proceed *in forma pauperis* (“IFP”) pursuant to 28 U.S.C. § 1915. (Doc. 3). Following the Court’s order to clarify his financial status, Plaintiff filed a second motion on May 9, 2011. (Doc. 5).

Plaintiff’s second motion raised issues because of incongruities between the two applications, including whether Plaintiff was incarcerated and whether he receives “general grant” funds. As a result, the Court issued an order that Plaintiff file an amended application including the ledger of his transactions at Avenal State Prison and the amount of income received through the “general grant.” (Doc. 6). Following the Court’s order, Plaintiff’s parole agent sent a letter to the Court, which explained Plaintiff is not currently incarcerated, but was incarcerated from August 7, 2002 to October 22, 2008. (Doc. 7). However, the letter from Plaintiff’s parole agent was not a substitute for Plaintiff filing an amended IFP motion, and the Court ordered Plaintiff to file a second amended

1 application “which includes the amount of income received through the ‘general grant’ *and the*
2 *amount Plaintiff expects to continue to receive.*” (Doc. 8 at 2) (emphasis added).

3 Plaintiff filed his second amended motion on June 13, 2011 (Doc. 9), in which he indicated
4 he received \$200 from “general relief.” *Id.* at 1. However, Plaintiff failed to include information on
5 how much he expected to continue to receive from general relief, if any. This information is
6 necessary for the Court to ascertain whether Plaintiff has sufficient income to pay the Court filing
7 fee. *See Jackson v. California*, 2010 U.S. Dist. LEXIST 90612, at * 2 (S.D. Cal. Aug. 30, 2010)
8 (denying the plaintiff’s motion to proceed IFP because he failed “to disclose the amount he has
9 received and expects to receive” in social security benefits). Likewise, Plaintiff failed to state the
10 last date of his employment, the salary or wages he received in a pay period, and the name and
11 address of his employer. Consequently, Plaintiff has failed to file a complete motion to proceed IFP
12 such that the Court can determine Plaintiff is unable to pay the filing fee.

13 Accordingly, **IT IS HEREBY ORDERED:**

- 14 1. Plaintiff **SHALL FILE**, within fourteen days of this order, a *complete* third amended
15 application to proceed *in forma pauperis*, which includes the amount of income
16 received through the “general grant” and the amount Plaintiff expects to continue to
17 receive; and
- 18 2. Plaintiff is warned that failure to comply with this order may result in denial of his
19 application to proceed *in forma pauperis*.

20 IT IS SO ORDERED.

21 Dated: June 16, 2011

/s/ **Jennifer L. Thurston**
UNITED STATES MAGISTRATE JUDGE