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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
v.	)	PROCEED IN FORMA PAUPERIS
	)	
	)	(Doc. 5)
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* 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).

According to Plaintiff’s first application dated May 2, 2011 and signed under penalty of perjury, Plaintiff is not incarcerated. (Doc. 3 at 1). In fact, on his complaint he lists his street address as one that is in Fresno, California. (Doc. 1) However, according to his amended application, also signed under penalty of perjury, Plaintiff claims now that he is incarcerated at Avenal State Prison.<sup>1</sup> (Doc. 5 at 1). If he is truly is in inmate at Avenal State Prison, the application

<sup>1</sup>The Court is concerned that Plaintiff attests first to one set of facts and then later to a different set of facts. Plaintiff is admonished that he is obligated to report *only* true facts to the Court at all times. In future, Plaintiff is ORDERED to carefully review all documents by himself or to obtain assistance in reviewing these documents, before he signs them to

1 requires prisoners to attach a ledger “showing at least the past six months’s transactions” on their  
2 accounts. *Id.* In addition, the application states:

3 NOTICE TO PRISONER: A prisoner seeking to proceed without prepayment of fees  
4 shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement  
5 certified by the appropriate institutional officer showing all receipts, expenditures, and  
6 payments during the last six months in your institutional accounts. If you have multiple  
accounts, perhaps because you have been in multiple institutes, attach one certified  
statement of each account.

7 (Doc. 3 at 2; Doc. 5 at 2). Here, Plaintiff failed to attach a ledger of his transactions at Avenal State  
8 Prison containing the requisite information.

9 In addition, in the amended application, Plaintiff stated that in the past twelve months he has  
10 received “general grant” funds, but failed to state the amount received and what he expected to  
11 continue to receive. *Id.* Notably, Plaintiff did not disclose his receipt of funds on his first  
12 application, though he signed the document under penalty of perjury.

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

- 14 1. Plaintiff **SHALL FILE**, within fourteen days of this order, an second amended  
15 application to proceed *in forma pauperis* including the ledger of his transactions at  
16 Avenal State Prison and the amount of income received through the “general grant”  
17 and the amount Plaintiff expects to continue to 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  
22 Dated: May 11, 2011

/s/ Jennifer L. Thurston

UNITED STATES MAGISTRATE JUDGE

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27 \_\_\_\_\_  
28 ensure that he provides accurate information to the Court. Failure to comply may result in an order dismissing his case.