

1 explanation. Plaintiff states that he has no funds in his prison trust account.

2 On December 15, 2011, an order was entered, directing Plaintiff to provide further
3 evidence to the Court about his bank and investment accounts outside the prison, in support of
4 his application to proceed in forma pauperis. Plaintiff was specifically directed to file a written
5 declaration, signed under penalty of perjury, informing the Court of each financial account he
6 owns, identified by bank or other holder and account number, the approximate balance in each
7 account, his efforts to gain access to the funds in the accounts, and the reasons he was denied
8 access. Plaintiff was also directed to further explain his references to the securities fraud case
9 #11c0347 and his relationship to the case.

10 On December 20, 2011, the Court received Plaintiff's response to the order. Plaintiff's
11 submission consists of a declaration and exhibits numbered 1 through 350.² It appears that
12 Plaintiff received a financial settlement from his father's estate, but the funds have been depleted
13 due to settlement of estate taxes and child support. Although unclear from his statement and
14 earlier submissions, it appears that Plaintiff is contesting the validity of his child support
15 obligations. That question is not before this Court. The only specific information regarding
16 financial accounts submitted by Plaintiff, indicating that funds are in an account under Plaintiff's
17 name, are dated 2003. The Court has reviewed Plaintiff's declaration and exhibits and finds that
18 Plaintiff has not come forward with any evidence that he currently has access to any financial
19 accounts that would enable him to pay the filing fee for this action.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Plaintiff's application to proceed in forma pauperis is granted. The Clerk's Office is
22 directed to process Plaintiff's application to proceed in forma pauperis.

23 2. The Clerk's Office is directed to return to Plaintiff the documents received by the
24 Court on December 20, 2011.

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26 ² Plaintiff also submitted a prison identification card dated April 21, 2011, and issued in Plaintiff's name.
27 The Court will return the card to Plaintiff along with the rest of the documents submitted on December 20, 2011.

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IT IS SO ORDERED.

Dated: January 4, 2012

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE