1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 Case No. 1:15-cv-00916---GSA BRUCE CREAMER, ORDER DIRECTING PLAINTIFF TO 12 Plaintiff. COMPLETE HIS APPLICATION TO PROCEED IN FORMA PAUPERIS 13 v. 14 CITY OF TULARE, et al., 15 Defendants. 16 On June 17, 2015, Plaintiff Bruce Creamer ("Plaintiff") filed a Complaint. (ECF Nos. 1, 17 2). On that same date, Plaintiff filed an application to proceed in forma pauperis ("IFP") in lieu of 18 19 paying the filing fee to commence an action in this Court. (ECF No. 3). 20 A civil action may proceed despite a failure to prepay the entire filing fee only if the party 21 initiating the action is granted leave to proceed IFP pursuant to 28 U.S.C. § 1915(a). See 22 Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir. 1999). In applying to proceed IFP, a plaintiff 23 must submit an affidavit that "state[s] the facts as to [the] affiant's poverty with some 24 particularity, definiteness and certainty." Jefferson v. United States, 277 F.2d 723, 725 (9th Cir. 25 1960) ("The right to proceed in forma paupers is not an unqualified one. It is a privilege, rather 26 27 than a right"); United States v. Shadley, No. 2:09-MC-80 WBS GGH, 2010 WL 2509910, at *1

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(E.D. Cal. June 17, 2010) (denying request to proceed IFP where applicant "failed to adequately document her financial status"). Similarly, all "[a]ffidavits and certifications shall be signed by the person executing the document." Local Rule 131(b).

Plaintiff's application to proceed *in forma pauperis* is incomplete and unclear. Although Plaintiff states that he has no gross pay or wages and has not received any income in the past 12 months, he attaches what appears to be paycheck from the Tulare County School District that was issued on April 15, 2015. He also lists items "of value that I own," but declined to respond to the request on the application that he "describe the property and its approximate value." (ECF No. 3). He has also listed two "regular monthly expenses," but declines to "describe and provide the amount of the monthly expense." *Id.* Finally, the application is unsigned.

Accordingly, no later than **July 8, 2015**, Plaintiff must fully and accurately complete the application with the required information. Plaintiff is advised that failure to comply with the Court's order may result in the denial of his application or dismissal of his case.

IT IS SO ORDERED.

Dated: June 23, 2015 /s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE