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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HURSEL FLOYD MITCHELL,  
  
Plaintiff,  
  
v.  
  
SECURITY PACIFIC BANK, et al.,  
  
Defendants.

CASE No. 1:16-cv-00775-AWI-MJS (PC)  
  
**ORDER DISCHARGING ORDER TO  
SHOW CAUSE**  
  
**(ECF NO. 4)**  
  
**ORDER GRANTING MOTION TO  
PROCEED IN FORMA PAUPERIS**  
  
**(ECF NO. 2)**

Plaintiff Hursel Floyd Mitchell is proceeding pro se in this action. On June 3, 2016, Plaintiff filed a motion to proceed in forma pauperis pursuant to 28 U.S.C. section 1915. (ECF No. 2.) That motion was incomplete as it did not include information regarding Plaintiff's current income and expenses. Accordingly, on June 9, 2016, the Court ordered Plaintiff to provide additional information. (ECF No. 3.) When Plaintiff failed to comply, the Court ordered Plaintiff to show cause why sanctions should not be imposed. (ECF No. 4.) Plaintiff responded to the order to show cause on December 28, 2016. (ECF No. 5.)

In his response, Plaintiff states he is unable to provide the requested information regarding his income due to fraud that appears to be the basis for his underlying claims in this action. Nonetheless, documents attached to the response indicate that Plaintiff is

1 unable to afford the fees for this litigation and that he is entitled to proceed without  
2 prepayment of fees.

3 Based on the foregoing, it is HEREBY ORDERED that:

- 4 1. The order to show cause is DISCHARGED; and  
5 2. Plaintiff's motion to proceed in forma pauperis is GRANTED.

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7 IT IS SO ORDERED.

8 Dated: March 7, 2017

*1st Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE

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