

1 boxes when responding to the question whether he had received any money from “Any other
2 sources” in the twelve months prior to filing this action. *Compare* 1:16-cv-1886, Doc. 2, p. 1
3 *with* 1:16-cv-1417, Doc. 2, pp. 1-2.

4 Proceeding “*in forma pauperis* is a privilege not a right.” *Smart v. Heinze*, 347 F.2d 114,
5 116 (9th Cir. 1965). While a party need not be completely destitute to proceed *IFP*, *Adkins v. E.I.*
6 *DuPont de Nemours & Co.*, 335 U.S. 331, 339-40 (1948), “the same even-handed care must be
7 employed to assure that federal funds are not squandered to underwrite, at public expense, either
8 frivolous claims or the remonstrances of a suitor who is financially able, in whole or in material
9 part, to pull his own oar.” *Doe v. Educ. Enrichment Sys.*, No. 15cv2628-MMA (MDD), 2015
10 U.S. Dist. LEXIS 173063, *2 (S.D. Cal. Dec. 30, 2015) (citing *Temple v. Ellerthorpe*, 586 F.
11 Supp. 848, 850 (D.R.I. 1984)). “[T]he court shall dismiss the case at any time if the court
12 determines the allegation of poverty is untrue.” 28 U.S.C. § 1915(e)(2)(A).

13 Accordingly, the Court **ORDERS** that within 30 days of the date of service of this order,
14 Plaintiff **SHALL** show cause why in writing why his *in forma pauperis* status should not be
15 denied and he be required to pay the filing fee².

16 IT IS SO ORDERED.

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18 Dated: May 8, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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28 ² Plaintiff is advised that if he chose to spend his money or give it away rather than use it to pay his filing fee, the Court understands this inclination but this would not justify him proceeding *in forma pauperis*.