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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PAVEL KOVALENKO,	)	Case No.: 1:17-cv-0166 - JLT
Plaintiff,	)	
v.	)	ORDER DIRECTING PLAINTIFF TO FILE A
	)	SECOND AMENDED MOTION TO PROCEED IN
COMMISSIONER OF SOCIAL SECURITY,	)	FORMA PAUPERIS
Defendant.	)	
	)	
	)	

Pavel Kovalenko seeks to proceed *in forma pauperis* in this action. (Doc. 3, 5) Toward that end, on February 3, 2017, Plaintiff submitted an affidavit, signed under penalty of perjury, in which he indicated that he was not employed and had no income for the past twelve months. (Doc. 3 at 1) Plaintiff indicated he did not possess real estate, stocks, bonds, securities, other financial instruments, an automobile, or other things of value—and has no money in a bank account. (*Id.* at 2) In addition, Plaintiff indicated he did not have any expenses including no housing or transportation expenses. (*Id.*) Because the Court was unable to determine if Plaintiff was supporting himself or if he was dependent upon another individual who could pay the filing fee, the Court ordered him to file “an application that includes information on how Plaintiff is supporting himself, or his dependence on another.” (Doc. 4 at 2)

Plaintiff filed a second application to proceed *in forma pauperis* on February 9, 2017, again which he signed under penalty of perjury. (Doc. 5) In this application, Plaintiff again reports that he

1 has not received any income for the past twelve months. (*Id.* at 1) Plaintiff now reports he has \$50.00  
2 in a bank account and owns a 2015 Toyota Yaris vehicle. (*Id.* at 2) In addition, Plaintiff asserts that he  
3 has monthly expenses, which include \$725 in rent and \$450 for utilities. (*Id.*) Once again, however,  
4 Plaintiff fails to provide any information regarding how he is supporting himself financially, or  
5 whether he is dependent upon another individual who may pay the filing fee.

6 Accordingly, Plaintiff is **ORDERED** to file, within fourteen days of this order, an application  
7 that includes information on how Plaintiff is supporting himself, or his dependence on another. The  
8 plaintiff is advised that the Court is significantly concerned that he is making statements under penalty  
9 of perjury that cannot be true. Plaintiff is reminded that he has an obligation of absolute honesty to the  
10 Court and, of course, signing a document under penalty of perjury *means* that he is subject to  
11 prosecution if his statements are untrue.

12 **Plaintiff is warned that his failure to provide complete and accurate information as**  
13 **ordered will result in recommendation that his application to proceed *in forma pauperis* be**  
14 **denied.**

15  
16 IT IS SO ORDERED.

17 Dated: February 21, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE