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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAJVINDER S. DHALIWAL,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:18-cv-00219-SAB

ORDER DENYING PLAINTIFF’S
APPLICATION TO PROCEED IN FORMA
PAUPERIS WITHOUT PREJUDICE AND
REQUIRING PLAINTIFF TO FILE LONG
FORM APPLICATION TO PROCEED
WITH PREPAYMENT OF FEES

(ECF No. 2)

TWENTY DAY DEADLINE

Plaintiff Rajvinder S. Dhaliwal (“Plaintiff”) filed the complaint in this action on February 13, 2018, challenging the denial of Social Security benefits. (ECF No. 1.) Plaintiff did not pay the filing fee in this action and instead filed an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. (ECF No. 2.) However, based upon Plaintiff’s application, the Court is unable to determine if Plaintiff is entitled to proceed in this action without prepayment of fees. Plaintiff’s application indicates that he is employed and receives take-home salary or wages in the amount of \$550 per month and his wife earns \$1,100 per month, which places their yearly income at \$19,800. The 2018 Poverty Guidelines for the 48 contiguous states for a household of two is \$16,460.00. 2018 Poverty Guidelines, <https://aspe.hhs.gov/poverty-guidelines> (last visited February 14, 2018). Plaintiff’s income is above the 2018 poverty level for a family of two. Plaintiff also indicates that he has cash, a checking account, or a savings account, in the amount

1 of \$700.00.

2 Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed
3 in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is
4 unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in
5 full.

6 Based upon the foregoing, it is HEREBY ORDERED that:

- 7 1. Plaintiff's application to proceed in forma pauperis is DENIED without prejudice;
- 8 2. The Clerk of the Court is directed to forward an Application to Proceed in District
9 Court Without Prepaying Fees or Costs (Long Form) – AO 239 to Plaintiff;
- 10 3. Within **twenty (20) days** of the date of this order, Plaintiff shall either (1) pay the
11 \$400.00 filing fee for this action, or (2) complete and file the enclosed
12 Application to Proceed in District Court Without Prepaying Fees or Costs (Long
13 Form) – AO 239; and
- 14 4. If Plaintiff fails to comply with this order, this action shall be dismissed.

15 IT IS SO ORDERED.

16 Dated: February 14, 2018

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19 UNITED STATES MAGISTRATE JUDGE

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