

1 filed. This court is aware of two prior requests to proceed IFP,
2 both of which were denied for reasons unrelated to appellant's
3 finances. In In re Lebbos, No. 8-0440 FCD KJM (E.D. Cal.),
4 appellant's IFP application was denied because the bankruptcy court
5 from which the appeal arose certified that the appeal was taken in
6 bad faith, pursuant to 28 U.S.C. § 1915(a)(3), thereby depriving
7 the district court of the ability to award IFP status. See Case
8 No. 08-0440 Doc. No. 9 (Notice entered April 2, 2008), Doc. No. 11
9 (Order of April 2, 2008). Later in that case, appellant sought
10 further appeal to the Ninth Circuit, and filed a renewed IFP
11 application in connection with that appeal. Doc. No. 52 (July 17,
12 2008). The Ninth Circuit concluded that the appeal was of an
13 interlocutory order, such that the circuit lacked jurisdiction, and
14 therefore denied the IFP application. Ninth Circuit Case No. 08-
15 16577, Doc. No. 7 (Order of November 4, 2008).

16 In the present appeal, there has been no certification that
17 the appeal is taken in bad faith, nor is a lack of jurisdiction or
18 similar defect yet apparent. Accordingly, the court turns to
19 appellant's financial condition. Appellant declares that each
20 month, she earns \$1,000 in income, receives \$846 in disability
21 payments, and pays \$1,870 in expenses, including \$450 in "medical
22 and dental expenses." Appellant further declares that her savings
23 amount to approximately \$600. The court finds that appellant's
24 statements concerning income, cash, and assets demonstrate
25 inability to prepay the \$455.00 in filing fees.

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Accordingly, the court GRANTS the appellant's motion to proceed in forma pauperis, Doc. No. 5.

IT IS SO ORDERED.

DATED: September 8, 2009.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT