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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGER HICKS,

Plaintiff,

CIV S-11-0148 GGH

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

ORDER AND FINDINGS AND
RECOMMENDATIONS

Defendant.

_____/

Plaintiff, proceeding pro se in this action, has filed an application to proceed in forma pauperis. This court, after examining plaintiff’s affidavit, hereby recommends plaintiff’s application to proceed with this action in forma pauperis pursuant to 28 U.S.C. § 1915(a) be DENIED.

Pursuant to federal statute, a filing fee of \$350.00 is required to commence a civil action in federal district court. 28 U.S.C. § 1914(a). The court, however, may authorize the commencement of an action “without prepayment of fees and costs or security therefor, by a person who makes affidavit that he is unable to pay such costs or give security therefor.” 28 U.S.C. § 1915(a)(1). Plaintiff’s application does not demonstrate that because of his poverty plaintiff cannot meet court costs and still provide himself with the necessities of life. Plaintiff’s

