

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ROBERT V. BUSTOS,

11 Plaintiff,

No. 2:11-cv-01953 KJN

12 v.

13 COMMISSIONER OF SSA,

ORDER

14 Defendant.
15 _____/


16 Plaintiff, who is proceeding with counsel, has not paid the fee ordinarily required
17 to file an action in this court and also filed an incomplete application to proceed without the
18 prepayment of fees and costs, also known as an application to proceed “in forma pauperis” (Dkt.
19 No. 2). See 28 U.S.C. §§ 1914(a), 1915(a). Plaintiff failed to answer questions on the
20 application regarding potential sources of income over the prior 12 months from the following
21 sources: “Business, profession or form of self-employment”; “Rent Payments, interest or
22 dividends”; “Pensions, annuities or life insurance payments”; and “Gifts or inheritances.” (See
23 Application at 2.) Without a completed application, the court is unable to properly evaluate
24 whether plaintiff is entitled to proceed in forma pauperis. Accordingly, plaintiff’s application to
25 proceed in forma pauperis is denied without prejudice, and plaintiff may submit either: (1) a
26 completed application to proceed in forma pauperis, or (2) the appropriate filing fee.

1 For the reasons stated above, IT IS HEREBY ORDERED that:

2 1. Plaintiff application to proceed in forma pauperis (Dkt. No. 2) is denied
3 without prejudice.

4 2. Within 21 days of the date of this order, plaintiff shall submit either a
5 completed application in support of his request to proceed in forma pauperis, or the appropriate
6 filing fee. Plaintiff's failure to comply with this order will result in a recommendation that his
7 application to proceed in forma pauperis be denied.

8 DATED: August 4, 2011

9
10 
11 KENDALL J. NEWMAN
12 UNITED STATES MAGISTRATE JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26