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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   SHARLEEN HOTH,   No. 2:13-cv-2224 CKD

12   Plaintiff,

13   v.   ORDER

14   CAROLYN W. COLVIN,
     Acting Commissioner of Social Security,
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                    Defendant.
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18   Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis.

19   Pursuant to federal statute, a filing fee of $350.00 is required to commence a civil action in

20   federal district court. 28 U.S.C. § 1914(a). In addition, a $50.00 general administrative fee for

21   civil cases must be paid. 28 U.S.C. § 1914(b). The court may authorize the commencement of an

22   action "without prepayment of fees and costs or security therefor, by a person who makes

23   affidavit that he is unable to pay such costs or give security therefor." 28 U.S.C. § 1915(a). The

24   amount of income received by plaintiff's husband shows that plaintiff is able to pay the filing fee

25   and costs. Thus, plaintiff has made an inadequate showing of indigency. See Alexander v.

26   Carson Adult High Sch., 9 F.3d 1448 (9th Cir. 1993); California Men's Colony v. Rowland, 939

27   F.2d 854, 858 (9th Cir. 1991); Stehouwer v. Hennessey, 841 F. Supp. 316, (N.D. Cal. 1994).

28   Plaintiff will therefore be granted twenty-one days in which to submit the appropriate fees to the

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1   Clerk of the Court. Plaintiff is cautioned that failure to pay the filing and general administrative

2   fees in the amount of $400 will result in a recommendation that the application to proceed in

3   forma pauperis be denied and the instant action be dismissed without prejudice.

4   In accordance with the above, IT IS HEREBY ORDERED that:

5   1. Within twenty-one days from the date of this order, plaintiff shall submit the

6   appropriate fees to the Clerk of the Court.

7   2. The Clerk of the Court is directed to serve the undersigned's scheduling order in social

8   security cases.

9   Dated: November 7, 2013

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                        CAROLYN K. DELANEY

11   UNITED STATES MAGISTRATE JUDGE

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