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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDY ALLAN MOON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

No. 2:14-cv-0861 AC

ORDER

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis and has submitted the affidavit required by § 1915(a). This affidavit, though, shows that plaintiff receives a disability pension in the amount of \$5,000 per month for life, and he has \$1,500 in his checking account. Because plaintiff has not shown an inability to pay the Court's filing fee, plaintiff will be directed to pay the \$350 civil filing fee and \$50 administrative fee.¹ Accordingly, the request to proceed in forma pauperis will be denied. 28 U.S.C. § 1915(a).

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

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is denied;

¹ Effective May 1, 2013, the Clerks of Court for the United States District Courts are required to collect a \$50.00 administrative fee for the filing of a civil action, suit, or proceeding in a district court. See Judicial Conference Schedule of Fees, District Court Miscellaneous Fee Schedule ¶ 14 (effective May 1, 2013), foll. 28 U.S.C. § 1914. However, the administrative fee "does not apply to applications for a writ of habeas corpus or to persons granted in forma pauperis status under 28 U.S.C. § 1915." Id.

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- 2. Within thirty (30) days of the date of this order, plaintiff shall pay the \$350 civil filing fee and \$50 administrative fee in full; and
- 3. Failure to do so may result in dismissal of this action.

DATED: August 4, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE