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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 BRAD PANNELL,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL  
15 SECURITY,

16 Defendant.

No. 2:14-cv-1514-KJN

ORDER

17 Plaintiff, represented by counsel, has requested leave to proceed in forma pauperis  
18 pursuant to 28 U.S.C. § 1915. (ECF No. 2.)<sup>1</sup> Generally, a filing fee of \$400 is presently required  
19 to commence a civil action in this court. However, the court may authorize the commencement  
20 of an action “without prepayment of fees or security therefor” by a person that is unable to pay  
21 such fees or provide security therefor. 28 U.S.C. § 1915(a)(1).

22 Plaintiff’s application to proceed in forma pauperis is incomplete and/or unclear in several  
23 respects. First, although the affidavit in support of the application was apparently signed by  
24 plaintiff Brad Pannell, the introductory language states “I, Edwin Mezquita, declare that I am the  
25 plaintiff in the above-entitled proceeding....” (ECF No. 2.) Although this was no doubt an  
26 inadvertent mistake in modifying an essentially boilerplate template form, the error raises

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28 <sup>1</sup> This case was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(15).

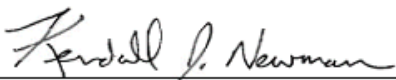
1 questions about whether some of the other information on the form could also possibly relate to  
2 Mr. Mezquita as opposed to Mr. Pannell. Second, the court notes that the answer to question five  
3 is incomplete, because although it states that plaintiff owns property, the answer fails to describe  
4 the property and estimate its value.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is denied without  
7 prejudice.
- 8 2. Within 28 days of this order, plaintiff shall either submit a properly completed  
9 amended application to proceed in forma pauperis addressing the above deficiencies,  
10 or pay the applicable filing fee.
- 11 3. Plaintiff's failure to file an amended application or pay the filing fee by the required  
12 deadline may result in dismissal of the action pursuant to Federal Rule of Civil  
13 Procedure 41(b).

14 IT IS SO ORDERED.

15 Dated: August 4, 2014

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17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE  
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