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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFERY OVERBECK,
Plaintiff,
v.
CAROLYN W. COLVIN,
Acting Commissioner of Social Security,
Defendant.

No. 2:14-cv-2645 CKD

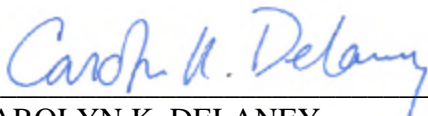
ORDER

Plaintiff has requested authority under 28 U.S.C. § 1915 to proceed in forma pauperis. Plaintiff has filed an in forma pauperis affidavit in which he states that he was last employed in May 2012 and received an annual salary of \$61,000, receives VA disability benefits of \$1526 per month, receives rental payments in the amount of \$1210 for a mortgage of \$1323 per month, receives monthly assistance from his mother in the amount of \$3,000 and a birthday gift of \$12,500, and owns a home worth \$190,000.

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). In addition, a \$50.00 general administrative fee for civil cases must be paid. 28 U.S.C. § 1914(b). The court 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). The

1 amount of plaintiff's income shows that plaintiff is able to pay the filing fee and costs. Thus,
2 plaintiff has made an inadequate showing of indigency. See Alexander v. Carson Adult High
3 Sch., 9 F.3d 1448 (9th Cir. 1993); California Men's Colony v. Rowland, 939 F.2d 854, 858 (9th
4 Cir. 1991); Stehouwer v. Hennessey, 841 F. Supp. 316, (N.D. Cal. 1994). Plaintiff will therefore
5 be granted fourteen days in which to submit the appropriate fees to the Clerk of the Court.
6 Plaintiff is cautioned that failure to pay the filing and general administrative fees in the amount of
7 \$400.00 will result in a recommendation that the application to proceed in forma pauperis be
8 denied and the instant action be dismissed without prejudice.

9 Dated: November 14, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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