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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

QUINTON JOEY WATTS,
Plaintiff,
v.
LYDIA ROMERO, et al.,
Defendants.

No. 2:14-cv-2686 CKD P

ORDER

On December 29, 2014, plaintiff, a prisoner proceeding pro se, submitted a motion to proceed in forma pauperis. (ECF No. 5.) While incomplete, the motion indicated that plaintiff owned substantial assets, such as would disqualify him for in forma pauperis status.¹ (See ECF No. 6.)

¹ Pursuant to 28 U.S.C. § 1915, a court may authorize the commencement of a case without prepayment of fees by a prisoner who submits “an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefore.” 28 U.S.C. § 1915(a)(1). In addition to filing the affidavit, the prisoner must also “submit a certified copy of the trust fund account statement ... for the prisoner for the 6-month period immediately preceding the filing of the complaint.” *Id.* See Chang v. Greater Bay Bank, 2007 WL 16555631, *1 (N.D. Cal.) (“The Ninth Circuit has indicated that leave to proceed IFP pursuant to 28 U.S.C. §1915(a) is properly granted only when plaintiff has demonstrated poverty *and* presented a claim that is not factually or legally frivolous[.]”) (citing O’Loughlin v. Doe, 920 F.2d 614, 616 (9th Cir. 1990).

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Plaintiff was sent another in forma pauperis application and ordered to submit it within thirty days. (Id.) Plaintiff has filed letters stating that he is unable to do that. (ECF Nos. 7, 8.)

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis is denied; and
2. Within thirty days, plaintiff shall submit the required filing fee in the amount of \$400.

Failure to submit the fee will result in a recommendation that this action be dismissed.

Dated: February 26, 2015



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE