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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARQUETTA BOWERS,

Plaintiff,

v.

WAL-MART STORES, INC.,

Defendant.

No. 2:15-cv-00269-KJM-DAD

ORDER

Plaintiff Marquetta Bowers filed this employment action against defendant Wal-Mart Stores, Inc. (Wal-Mart) on January 30, 2015. ECF No. 1. Plaintiff requests permission to proceed *in forma pauperis* (IFP). ECF No. 2. As explained below, the court GRANTS plaintiff's request.

I. DISCUSSION

A party instituting a civil action in a United States district court, except for an application for a writ of habeas corpus, must pay a filing fee of \$350.00. 28 U.S.C. § 1914. If a party, however, is granted leave to proceed *in forma pauperis*, an action may proceed without prepaying the entire fee. *See Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999). To qualify for IFP status, a party need not show that he or she is entirely destitute. *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339–40 (1948). Yet, “the same even-handed care must be employed to assure that federal funds are not squandered to underwrite, at public expense, either

1 frivolous claims or the remonstrances of a suitor who is financially able, in whole or in material
2 part, to pull his own oar.” *Temple v. Ellerthorpe*, 586 F. Supp. 848, 850 (D.R.I. 1984).

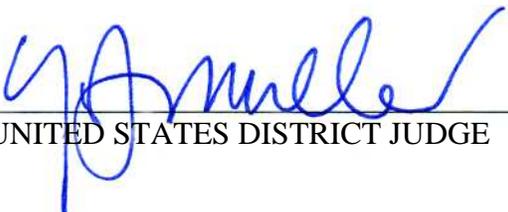
3 Here, plaintiff is entitled to IFP status. In the application to proceed without
4 prepayment of fees and affidavit, form number AO 240, plaintiff, under penalty of perjury, states
5 she has been unemployed since December 28, 2014; has no income; has two dependent children;
6 and has a bank account with a \$200.00 balance. ECF No. 2. Accordingly, based on these
7 circumstances, the court finds plaintiff qualifies for IFP status.

8 II. CONCLUSION

9 For the foregoing reasons, plaintiff’s motion to proceed *in forma pauperis* is
10 GRANTED.

11 IT IS SO ORDERED

12 DATED: February 4, 2015.

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16 UNITED STATES DISTRICT JUDGE
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