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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DIMITRIUS FOSTER,  
Plaintiff,

No. 2:17-CV-0439-CMK

vs.

ORDER

COMMISSIONER OF SOCIAL  
SECURITY,  
Defendant.

\_\_\_\_\_ /

Plaintiff, who is proceeding with retained counsel, brings this action under 42 U.S.C. § 405(g) for judicial review of a final decision of the Commissioner of Social Security. Pending before the court is plaintiff’s motion for leave to proceed in forma pauperis (Doc. 2). The motion is incomplete. Specifically, in response to Question No. 2, plaintiff states that she is not currently employed and, in response to Question No. 2(b) that she was last employed in 2009 by L.B. Construction in Roseville, California, but does not state the amount of her take-home salary or wages for her last employer. Plaintiff will be provided an opportunity to either pay the filing fees for this action or submit a completed application for leave to proceed in forma pauperis. Plaintiff is cautioned that failure to comply with this order may result in dismissal of

1 the action. See Local Rule 110.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is denied  
4 without prejudice;

5 2. Within 15 days of the date of this order, plaintiff shall either pay the filing  
6 fees for this action or submit a completed application for leave to proceed in forma pauperis.

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8 DATED: April 12, 2017

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10 **CRAIG M. KELLISON**  
11 UNITED STATES MAGISTRATE JUDGE  
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