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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RISTAU, et al.,

 Plaintiffs,

 v.

GUARDIANS OF EL DORADO
COUNTY, et al.,

 Defendants.

No. 2:17-cv-00574-MCE-KJN (PS)

ORDER

On March 17, 2017, plaintiffs Janet L. Ristau, Steven A. Leonard, Robert J. Ristau, and Karen L. Ristau, proceeding without counsel, filed this action.¹ (ECF No. 1.) Simultaneously, plaintiff Steven A. Leonard requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF No. 2.) In his affidavit, Mr. Leonard attests that his gross monthly income is \$650. (Id.) He also attests that he has received other disability or worker’s compensation payments in the past year, without indicating the amount he has received. (Id.)

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

¹ This case was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(21).

1 action “without prepayment of fees or security therefor” by a person that is unable to pay such
2 fees or provide security therefor. 28 U.S.C. § 1915(a)(1).

3 Mr. Leonard’s request to proceed *in forma pauperis* does not sufficiently demonstrate that
4 he is unable to pay the initial filing fee because he has not clearly explained the amount of income
5 he has received in the past year. Furthermore, none of the other plaintiffs have requested leave to
6 proceed *in forma pauperis* or paid the filing fee.


7 Thus, plaintiffs have made an inadequate showing of indigency. See Alexander v. Carson
8 Adult High Sch., 9 F.3d 1448 (9th Cir. 1993); California Men’s Colony v. Rowland, 939 F.2d
9 854, 858 (9th Cir. 1991); Stehouwer v. Hennessey, 841 F. Supp. 316, (N.D. Cal. 1994).

10 For the foregoing reasons, IT IS HEREBY ORDERED that:

- 11 1. Mr. Leonard’s application to proceed *in forma pauperis* (ECF No. 2) is DENIED
12 WITHOUT PREJUDICE.
- 13 2. Within 28 days of the date of this order, plaintiffs shall either (a) pay the
14 applicable filing fee or (b) each file an application to proceed *in forma pauperis*
15 that adequately demonstrates that each plaintiff is unable to pay the filing fee.
16 Plaintiffs’ failure to either pay the filing fee or file sufficient applications to
17 proceed *in forma pauperis* by the above deadline will result in a recommendation
18 that the action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

19 IT IS SO ORDERED.

20 Dated: August 28, 2017

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22 _____
23 KENDALL J. NEWMAN
24 UNITED STATES MAGISTRATE JUDGE

25 14/ps.17.574.ristau.IFP denial
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