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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN LAMAR JENKINS,
Plaintiff,
v.
JP MORGAN CHASE BANK,
Defendant.

No. 2:17-cv-0878-TLN-KJN (PS)

ORDER

Presently pending before the court is plaintiff’s motion for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.¹ (ECF No. 2.) The affidavit in support of the motion indicates that plaintiff’s gross wages are \$0 per month. (Id.) However, plaintiff also asserts that he has received income in the past twelve months as an employee of “Apple One,” but he has not indicated what income 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 action “without prepayment of fees or security therefor” by a person that is unable to pay such fees or provide security therefor. 28 U.S.C. § 1915(a)(1).

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

1 Plaintiff has made an inadequate showing of indigency because his affidavit is incomplete.
2 See Alexander v. Carson Adult High Sch., 9 F.3d 1448 (9th Cir. 1993); California Men's Colony
3 v. Rowland, 939 F.2d 854, 858 (9th Cir. 1991); Stehouwer v. Hennessey, 841 F. Supp. 316, (N.D.
4 Cal. 1994).

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

- 6 1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is DENIED
7 WITHOUT PREJUDICE.
- 8 2. Within 28 days of the date of this order, plaintiff shall either (a) pay the applicable
9 filing fee or (b) file an amended application to proceed *in forma pauperis* that
10 adequately demonstrates that plaintiff is unable to pay the filing fee. Plaintiff's
11 failure to either pay the filing fee or file a sufficient application to proceed *in*
12 *forma pauperis* by the above deadline will result in a recommendation that the
13 action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

14 IT IS SO ORDERED.

15 Dated: August 28, 2017

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18 KENDALL J. NEWMAN
19 UNITED STATES MAGISTRATE JUDGE

20 14/ps.17-878.jenkins.IFP denial
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