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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ROBERTA BARNETT,	No. 2:17-cv-01517 TLN CKD
12	Plaintiff,	
13	v.	ORDER
14	CALIFORNIA DEPARTMENT OF MOTOR VEHICLES, et al.,	
15	Defendants.	
16	Detendants.	
17		
18	Plaintiff is proceeding through counsel. Plaintiff has filed an in forma pauperis affidavit	
19	in which she states that her monthly take home pay is \$2,650.00. The district judge assigned to	
20	this action referred plaintiff's application to proceed in forma pauperis to the undersigned.	
21	Pursuant to federal statute, a filing fee of \$350.00 is required to commence a civil action	
22	in federal district court. 28 U.S.C. § 1914(a). In addition, a \$50.00 general administrative fee for	
23	civil cases must be paid. 28 U.S.C. § 1914(b)). The court may authorize the commencement of an
24	action "without prepayment of fees and costs or security therefor, by a person who makes	
25	affidavit that he is unable to pay such costs or give security therefor." 28 U.S.C. § 1915(a).	
26	In her application, plaintiff attests that she supports two children. Her annual take-home	
27	income is calculated at \$31,800. According t	to the 2017 federal poverty guidelines issued by the
28	U.S. Department of Health and Human Service	ces (HHS), a family of three with a yearly income of
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1	1 \$25,525 is at 125% of the poverty rate. Plaintiff's income shows that plainti	ff is able to pay the	
2	2 filing fee and costs. Thus, plaintiff has made an inadequate showing of indig	gence. See Alexander	
3	v. Carson Adult High Sch., 9 F.3d 1448 (9th Cir. 1993); California Men's Colony v. Rowland,		
4	939 F.2d 854, 858 (9th Cir. 1991); Stehouwer v. Hennessey, 841 F. Supp. 316, (N.D. Cal. 1994).		
5	Accordingly, IT IS HEREBY ORDERED that plaintiff is granted fourteen days in which		
6	to submit the appropriate fees to the Clerk of the Court. Plaintiff is cautioned that failure to pay		
7	the filing and general administrative fees in the amount of \$400 will result in a recommendation		
8	that the application to proceed in forma pauperis be denied and the instant action be dismissed		
9	9 without prejudice.		
10	10 Dated: July 25, 2017 Carop U. Der	any	
11	11 CAROLYN K. DELANEY		
12		FRATE JUDGE	
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