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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LISA MARIE PATTERSON,  
Plaintiff,  
v.  
FAMILY CONNECTION CHRISTIAN  
ADOPTION, et al.,  
Defendants.

No. 2:19-cv-1750-KJM-KJN PS  
ORDER DENYING IFP APPLICATION  
WITHOUT PREJUDICE  
(ECF No. 2)

Presently pending before the Court is Plaintiff’s motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.<sup>1</sup> (ECF No. 2.) 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). Absent this authorization, a filing fee of \$400.00 is required to commence a civil action in this court.

Here, the Court finds Plaintiff’s application incomplete. Plaintiff lists her gross wages as \$838.55, but does not specify her net wages, the source of her income, or—critically—whether these gross wages are monthly, bi-monthly, weekly, or otherwise. If, for example, Plaintiff’s gross wages were over \$800 a week, this would amount to a yearly salary in excess of \$40,000.

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

1 According to the United States Department of Health and Human Services, the poverty guideline  
2 for a household of 1 person (as indicated by her IFP affidavit) not residing in Alaska or Hawaii is  
3 \$12,490.00 for 2019. See <https://aspe.hhs.gov/poverty-guidelines>. Thus, if Plaintiff were living  
4 alone and making \$800 per week, her gross household income would be in excess of 300% of the  
5 2019 poverty guidelines. Thus, Plaintiff's incomplete affidavit leaves the Court unable to  
6 accurately determine her level of income for purposes of her IFP application. Additionally,  
7 Plaintiff lists "regular monthly expenses" of \$300+ in "debt." However, under line 8, Plaintiff  
8 fails to provide any details of the debt owed, leaving her IFP application further deficient.  
9 Because of these deficiencies, Plaintiff's application must be denied.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) is DENIED WITHOUT  
12 PREJUDICE;
- 13 2. Within 21 days of this order, Plaintiff shall either:
  - 14 a. Resubmit her application to proceed in the district court without prepaying fees  
15 or costs, providing the full details sought by the affidavit form; or
  - 16 b. Pay the applicable filing fee;
- 17 3. Failure to timely comply with this order, or timely request an extension of time to do  
18 so, will result in dismissal of the action pursuant to Federal Rule of Civil Procedure  
19 41(b).

20 IT IS SO ORDERED.

21 Dated: October 7, 2019

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24 KENDALL J. NEWMAN  
25 UNITED STATES MAGISTRATE JUDGE

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