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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 EMMA JEAN PERREIRA,

No. C 10-03482 SI

9 Plaintiff,

**ORDER REQUIRING SIGNING OF
COMPLAINT AND ADDITIONAL
INFORMATION ON IFP APPLICATION**

10 v.

11 PETER SPENCER,

12 Defendant.
13 _____/

14 On August 9, 2010, a complaint for review of a decision of the Commissioner of the Social
15 Security Administration for “child disability benefits,” and an application to proceed *in forma pauperis*,
16 were filed with this Court. The complaint and the IFP application were not signed. It appears that both
17 were filed on behalf of Emma Jean Perreira (the claimant) by her grandmother, Maureen Francis Dunne
18 (the wage earner).

19 As an initial matter, the complaint must be signed. If Ms. Dunne is seeking to represent Ms.
20 Perreira, she must sign the complaint.

21 With respect to the IFP application, Ms. Dunne has submitted financial information about Ms.
22 Perreira. However, where leave to proceed *in forma pauperis* is sought to vindicate the alleged
23 substantive rights of a minor, the financial resources of both the minor and the parent or guardian should
24 be considered in determining ability to pay the costs of litigation. *See, e.g., Xiangyuan Zhu v.*
25 *Countrywide Realty Co.*, 148 F. Supp. 2d 1154, 1156 (D. Kan. 2001).

26 If Ms. Dunne wishes to proceed IFP on behalf of Ms. Perreira, she must submit a revised IFP
27 application listing her own resources, as well as the resources of Ms. Perreira. The revised IFP
28 application must be signed by Ms. Dunne.

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The signed complaint and revised IFP application shall be submitted no later than **October 12, 2010.**

IT IS SO ORDERED.

Dated: September 20, 2010



SUSAN ILLSTON
United States District Judge