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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WELLS FARGO BANK, N.A.,  
Plaintiff,

No. C-10-3503 EMC

v.

**ORDER RE FINANCIAL AFFIDAVIT**

BARBARA J. ROOKER FAMILY TRUST,  
*et al.*,  
Defendants.

\_\_\_\_\_ /

Defendant Christopher J. Summers has filed a notice of removal with respect to what appears to be a state court action for unlawful detainer. Mr. Summers has also filed with the Court an application to proceed *in forma pauperis*. He has consented to proceed before a magistrate judge.

When presented with an application to proceed *in forma pauperis*, a court must first determine if the applicant satisfies the economic eligibility requirement of 28 U.S.C. § 1915(a). *See Franklin v. Murphy*, 745 F.2d 1221, 1226 n.5 (9th Cir. 1984). On October 10, 2010, Mr. Summers submitted a financial affidavit to support his application. *See* Docket No. 2 (financial affidavit). That affidavit, however, was incomplete, and he was informed of this fact by Court staff. On September 15, 2010, Mr. Summers submitted an amended financial affidavit. *See* Docket No. 7 (amended financial affidavit). But that affidavit remains incomplete. In particular, Mr. Summers has not provided a full and complete response to Question No. 5. Mr. Summers has indicated that he owns a home, but he has failed to provide information about (1) the house’s estimated market value and (2) the amount of the mortgage. The affidavit will not be deemed complete without that


United States District Court  
For the Northern District of California

1 information.

2           Accordingly, the Court hereby orders Mr. Summers to provide a full and complete response  
3 to Question No. 5 on the financial affidavit. He must state (1) the estimated market value of his  
4 home and (2) the amount of the mortgage. With respect to the estimated market value, a response of  
5 “unknown” is not sufficient. Mr. Summers must state, to the best of his knowledge, his best  
6 estimate as to the value of his home.

7           IT IS SO ORDERED.

8  
9 Dated: September 17, 2010

  
EDWARD M. CHEN  
United States Magistrate Judge

1 WELLS FARGO BANK, N.A.,

No. C-10-3503 EMC

2 Plaintiff,

3 v.

CERTIFICATE OF SERVICE

4 BARBARA J. ROOKER FAMILY TRUST,  
5 *et al.*,

6 Defendants.

7 \_\_\_\_\_/


8 I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District  
9 of California. On the below date, I served a true and correct copy of the attached, by placing said  
10 copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said  
11 envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle  
12 located in the Office of the Clerk.

13  
14 Christopher Jamar Summers  
15 P.O. Box 260  
16 448 Ignacio Blvd  
17 Novato, CA 94949

18 Dated: September 17, 2010

RICHARD W. WIEKING, CLERK

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By:   
Betty Lee  
Deputy Clerk