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2 UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF CALIFORNIA
4 OAKLAND DIVISION
5

6 JAMES ROSS,

7 Plaintiff,

8 vs.

9 SOCIAL SECURITY ADMINISTRATION,

10 Defendant.
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Case No: C 13-3960 SBA

**ORDER DENYING PLAINTIFF'S
REQUEST TO TRANSFER VENUE
TO SAN FRANCISCO AND
GRANTING PLAINTIFF
ADDITIONAL TIME TO FILE A
RENEWED IFP APPLICATION OR
PAY THE \$400 FILING FEE**

12 On August 26, 2013, Plaintiff, acting pro se, filed a form Complaint for Judicial
13 Review of Decision of Commissioner of Social Security, along with an Application to
14 Proceed In Forma Pauperis (IFP). Dkt. 1, 2. On September 10, 2013, the Court issued an
15 order denying Plaintiff's IFP application without prejudice due to his failure to provide the
16 requisite information. The Court's order stated:

17 Plaintiff's application to proceed IFP is DENIED without
18 prejudice. By no later than **September 30, 2013**, Plaintiff shall
19 either file a renewed IFP application or pay the \$400 filing fee.
20 Any renewed application must *truthfully* disclose *all* of the
21 information requested in the form. To the extent that Plaintiff is
employed by Hastings College of the Law but is not being paid,
22 Plaintiff shall explain the circumstances surrounding his
employment and ostensible lack of compensation. Failure to
23 comply with this Order will result in the dismissal of the action.

24 Dkt. 9.

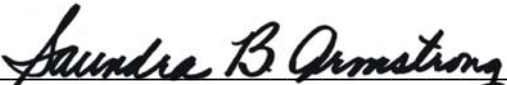
25 On September 16, 2013, Plaintiff filed a document entitled, "Letter Notice." Dkt.
26 10. Instead of providing the requisite information regarding his eligibility for IFP status,
27 Plaintiff states in his Letter Notice that he is afraid to take BART to the Oakland courthouse
28 because "[the] train goes under water and I am scared of that." *Id.* He therefore requests
the Court to transfer the case to a judge in the San Francisco courthouse. *Id.* On October
15, 2013, Plaintiff refiled the identical document. Dkt. 11.

1 Plaintiff's request to transfer venue to the San Francisco division of this Court is
2 DENIED. The assignment of this case to the Oakland division is consistent with the
3 Court's Assignment Plan, see Gen. Order 44, and Local Rule 3-2. In addition, Plaintiff's
4 transportation issues do not merit a transfer of venue. This case is a summary proceeding
5 which will not require any court appearances. Therefore, Plaintiff will not need to travel to
6 the Oakland courthouse for any hearings. In addition, Plaintiff may continue to submit his
7 filings by mail, thereby obviating his need to travel to Oakland.

8 At this juncture, the Court has yet to receive either a renewed, properly completed
9 IFP application, or payment of the \$400 filing fee. Although the Court is within its
10 discretion to dismiss the action, the Court sua sponte GRANTS Plaintiff until **November**
11 **25, 2013**, to either file a renewed IFP application or pay the \$400 filing fee. **The failure to**
12 **timely file either a renewed IFP application or pay the filing fee will result in the**
13 **dismissal of the action without further notice.**

14 IT IS SO ORDERED.

15 Dated: November 5, 2013


16 SAUNDRA BROWN ARMSTRONG
17 United States District Judge
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