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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ANTHONY PASTOR,
Plaintiff,
v.
WOODMONT RES,
Defendant.

Case No. [15-cv-01447-KAW](#)

**ORDER DENYING MOTION FOR
RECONSIDERATION OF DENIAL OF
APPLICATION TO PROCEED IN
FORMA PAUPERIS; ORDER
PERMITTING PLAINTIFF TO SUBMIT
AN AMENDED IFP APPLICATION**

Re: Dkt. No. 5

On April 8, 2015, the Court denied Plaintiff’s application to proceed *in forma pauperis* (IFP), because he represented that he received a combined \$1,238.00 per week in state worker’s compensation and disability insurance payments. (*See* IFP Application, Dkt. No. 2 at 2) Thus, the Court ordered that Plaintiff pay the filing fee on or before April 27, 2015. (Dkt. No. 4.)

On April 27, 2015, Plaintiff filed a motion for reconsideration of the denial of his IFP application. (Pl.’s Mot., Dkt. No. 5.) Therein, Plaintiff stated that his annual income is less than \$25,000, that he provides for a teenage daughter, and that, since October 2014, his “income has been \$536.00 per week from State Disability Insurance alone.” *Id.* at 1.

Pursuant to Civil Local Rule 7-9(a), Plaintiff was required to obtain leave of court to file the motion for reconsideration. Plaintiff did not obtain leave, so his motion for reconsideration is DENIED.

Notwithstanding, Plaintiff is hereby given permission to file an amended IFP application that includes his entire financial picture, including all income received from all sources, on or before **May 29, 2015**. Also, in response to question 4b, Plaintiff should list all individuals who depend on him for support and how much he contributes to their support, including his teenage daughter. If Plaintiff does not contribute to his daughter’s financial support, she should not be

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listed.

Plaintiff is advised that if his benefits are similar to that in his original application—which amounted to almost \$5,000 per month— his application will again be denied, because he has the means to pay the filing fee.

Failure to file an amended IFP application by May 29, 2015, or pay the \$400.00 filing fee, may result in the dismissal of this action without prejudice.

IT IS SO ORDERED.

Dated: May 7, 2015


KANDIS A. WESTMORE
United States Magistrate Judge