

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STANTON MCCLENDON,
Plaintiff,
v.
CAROLYN W. COLVIN,
Defendant.

Case No. 17-cv-00408-PJH

**ORDER REGARDING APPLICATION
TO PROCEED IN FORMA PAUPERIS**

Re: Dkt. No. 2, 4

On January 31, 2017, the court ordered plaintiff to clarify two matters concerning his application to proceed in forma pauperis ("IFP"). See Dkt. 4. First, the court noted that "although plaintiff has indicated that he owns a home in response to question 5, he has not provided any estimate of the value of his home or any mortgage on the home." Id. at 1. Second, "plaintiff has written 'GA' in the 'utilities' section of question 8," but if he receives general assistance, then "this income should be listed in response to question 2e, about receiving money from government sources." Id. As a result of these issues, the court was unable to make a decision as to whether plaintiff would be permitted to proceed in forma pauperis, or instead be required to pay the filing fee.

The court ordered plaintiff to refile his IFP application, or to otherwise clarify these issues, no later than February 21, 2017. Plaintiff has not filed any response.

The court will permit plaintiff an additional 21 days to either (1) refile his IFP application with the court, or (2) pay the \$400 filing fee. If plaintiff does not take one of these actions by **March 17, 2017**, then this case will be dismissed for failure to prosecute. The court is attaching a blank IFP application to this order that plaintiff may

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use. The application must be submitted to the Clerk's Office in San Francisco or
Oakland, or mailed to: Clerk's Office, United States District Court, 1301 Clay Street, Suite
400 South, Oakland, CA 94612.

IT IS SO ORDERED.

Dated: February 24, 2017



PHYLLIS J. HAMILTON
United States District Judge