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2	**E-Filed 7/22/2010**	
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8	IN THE UNITED STATES DISTRICT COURT	
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
10	SAN JOSE DIVISION	
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12	STEVEN R. PREMINGER, et al.,	Case Number C 04-2012 JF (HRL)
13	Plaintiffs,	ORDER ¹ DENYING PLAINTIFFS' MOTION TO PROCEED <i>IN FORMA</i>
14	V.	PAUPERIS AND/OR TO WAIVE FILING FEES
15	ERIC SHINSEKI, Secretary of Veterans Affairs, et al.,	[re: docket nos. 268, 270]
16	Defendants.	
17	Derendants.	
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20	Plaintiffs seek leave to proceed on appeal in forma pauperis. It is unclear whether this	
21	application is made on behalf of Plaintiff Steven Preminger, an individual, or on behalf of the	
22	Santa Clara County Democratic Central Committee ("SCCDCC"), an artificial entity. To the	
23	extent that Mr. Preminger seeks leave to proceed in forma pauperis, he has not provided	
24	information sufficient to determine whether he qualifies for such status. To the extent that the	
25	SCCDCC seeks leave to proceed in forma pauperis, it is not a "person" within the meaning of	
26	the governing statute, 28 U.S.C. § 1915. See Rowland v. Cal. Men's Colony, 506 U.S. 194, 196	
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¹ This disposition is not designated for publication in the official reports.

1993) (holding that only natural persons, and not artificial entities, qualify for treatment in forma 2 pauperis under § 1915). Accordingly, the Court has no choice but to deny Plaintiffs' request to 3 proceed on appeal in forma pauperis.

It appears that Plaintiffs may be requesting a determination that they would be permitted to proceed *in forma pauperis* if they should file a new lawsuit. Aside from the issues noted above, it would be inappropriate for the Court to grant or deny in forma pauperis status with respect to a lawsuit that has not yet been filed.

8 Plaintiffs correctly note that the Court indicated that it would entertain their applications 9 to proceed *in forma pauperis*. However, as noted above, Plaintiffs have failed to demonstrate 10 that they are entitled to relief under § 1915. Plaintiffs have not cited, and the Court has not discovered, an alternative legal basis for waiving filing fees or any other fees in this action.

Finally, it appears that Plaintiffs are requesting leave to file an appeal in this case. All orders in this case are final; Plaintiffs thus do not need to seek leave to file an appeal.

14 Accordingly, Plaintiffs' motion to proceed in forma pauperis and/or to waive filing fees is DENIED. 15

DATED: 7/22/2010

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Y FOGEL States Distric Judge

Case No. C 04-2012 JF (HRL) ORDER DENYING PLAINTIFFS' MOTION TO PROCEED IN FORMA PAUPERIS ETC. (JFLC2)

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