

NOT FOR CITATION

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

JOHN R. PIERSON,

Plaintiff,

v.

WELLS FARGO, et al.,

Defendants.

Case Number C 06-03954 JF

ORDER¹ DENYING APPLICATION
TO PROCEED *IN FORMA PAUPERIS*

[re: docket no. 2]

On June 27, 2006, Plaintiff John R. Pierson filed a complaint against Defendants Wells Fargo and Mark Underwood and an application to proceed *in forma pauperis*. Plaintiff alleges:

Hear yee Wells Fargo, yee are pirites, I come for you, in the name of God, yee are Guilty of the Following But Not Limited To:

Statute # 470

Piriterly

Grand Theft

Conspiracy

Accerey to Commit Murder

Pursuant to 28 U.S.C. § 1915, a district court may authorize the commencement of a civil action

¹ This disposition is not designated for publication and may not be cited.

1 *in forma pauperis* if the court is satisfied that the would-be plaintiff cannot pay the filing fees
2 necessary to pursue the action. 28 U.S.C. § 1915(a)(1). The court may deny *in forma pauperis*
3 status, however, if it appears from the face of the proposed pleading that the action is frivolous or
4 without merit. *O'Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990); *Tripati v. First National*
5 *Bank & Trust*, 821 F.2d 1368, 1370 (9th Cir. 1987). Without expressing any opinion as to
6 whether Plaintiff can afford to pay the filing fee, the Court will DENY without prejudice his
7 application to proceed *in forma pauperis* on the ground that the complaint fails to state a
8 cognizable claim.

9 IT IS SO ORDERED.

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11 DATED: July 12, 2006

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15 JEREMY FOGEL
United States District Judge

1 This Order has been served upon the following persons:

2 John R. Pierson
3 P.O. Box 162
4 Genoa, NV 89411
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