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\*\*E-Filed 5/14/2009\*\*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

CHIN-LI MOU,

Plaintiff,

v.

WEST VALLEY COLLEGE, et al.,

Defendants.

Case Number C 09-1910 JF (RS)

ORDER<sup>1</sup> (1) GRANTING  
APPLICATION TO PROCEED *IN*  
*FORMA PAUPERIS* AND (2)  
RESCHEDULING HEARING ON  
MOTION FOR PRELIMINARY  
INJUNCTION

[Re: Doc. No. 9]

On May 1, 2009, Plaintiff Chin-Li Mou filed a complaint for injunctive relief for her alleged suspension from Defendant West Valley College. On the same day that the request was filed, Plaintiff filed an application to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915, a district court may authorize the commencement of a civil action *in forma pauperis* if the court is satisfied that the would-be plaintiff cannot pay the filing fees necessary to pursue the action. 28 U.S.C. § 1915(a)(1). The Court denied Plaintiff's first application on the ground that it appeared that Plaintiff was able to pay the filing fee.

Plaintiff has filed a renewed application and has submitted additional material in support

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<sup>1</sup> This disposition is not designated for publication in the official reports.

1 of her request to proceed *in forma pauperis*. The Court is satisfied that Plaintiff cannot pay the  
2 filing fee and that the instant action is not frivolous or without merit. Plaintiff's application to  
3 proceed *in forma pauperis* therefore is GRANTED. IT IS HEREBY ORDERED that the Clerk  
4 issue summons, and that the U.S. Marshal for the Northern District of California serve a copy of  
5 the complaint and this order upon Defendants.

6 To provide adequate time for Defendants to respond to the complaint and Plaintiff's  
7 pending request for a preliminary injunction, IT IS HEREBY ORDERED that Plaintiff's motion  
8 for preliminary injunction, previously scheduled to be heard on May 22, 2009 at 9:00 am, is  
9 RESCHEDULED and now is set for hearing on May 29, 2009 at 9:00 am. Each party may file a  
10 brief in support of or in opposition to the motion for preliminary injunction, not to exceed fifteen  
11 (15) pages in length, on or before May 27, 2009.

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16 DATED: May 14, 2009

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19 JEREMY FOGEL  
20 United States District Judge  
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1 This Order has been served upon the following persons:

2 Chin-Li Mou  
3 4141 Boneso Circle  
4 San Jose, CA 95134

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