

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GREGORY NICHOLAS STESHENKO,	)	Case No.: 13-CV-03400-LHK
	)	
Plaintiff,	)	ORDER GRANTING APPLICATION TO
v.	)	PROCEED IN FORMA PAUPERIS;
	)	ORDER GRANTING MOTION TO
SUZANNE GAYRARD, et al.,	)	ELECTRONICALLY FILE
	)	
Defendants.	)	
	)	

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Before the Court is Plaintiff Gregory Steshenko’s (“Plaintiff”) Application to Proceed In Forma Pauperis. See ECF No. 2 (“Application”).

Under the federal in forma pauperis statute, a court may authorize the commencement of a suit without prepayment of the filing fee required by the clerk of the court if the plaintiff submits an affidavit of poverty showing that he or she is “unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a). However, even if the plaintiff makes an adequate showing of poverty, the Court may deny leave to proceed in forma pauperis if it determines at the outset “from the face of the proposed complaint that the action is frivolous or without merit.” *Tripati v. First Nat’l Bank & Trust*, 821 F.2d 1368, 1370 (9th Cir. 1987); see also 28 U.S.C. § 1915(e); *Calhoun v. Stahl*, 245 F.3d 845, 845 (9th Cir. 2001) (per curiam) (“[T]he provisions of 28 U.S.C. § 1915(e)(2)(B) are not limited to prisoners.”).

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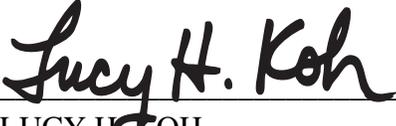
Here, Plaintiff's Complaint, which alleges claims for age discrimination and various civil rights violations, does not appear on its face to be frivolous or malicious. Moreover, Plaintiff has declared under penalty of perjury that: (1) he is not presently employed; (2) he does not own a home; (3) he does not have a bank account; (4) he has only minimal cash savings; (5) his monthly expenses exceed \$1400.00; and (6) he only receives approximately \$500 per month in welfare. See Application at 1-4. Plaintiff has thus adequately shown that he is unable to pay the fees required to commence this lawsuit.

Accordingly, the Court hereby GRANTS Plaintiff's motion to proceed in forma pauperis. The Clerk of the Court shall issue the summonses.

Plaintiff has also filed a motion for permission to electronically file documents in this case. ECF No. 3. Plaintiff's motion is GRANTED.

**IT IS SO ORDERED.**

Dated: July 24, 2013

  
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LUCY H. KOH  
United States District Judge