

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE PAUL FAIRFAX SOARES,
Debtor/Appellant.

Case No. [5:18-mc-80016-HRL](#)

**ORDER RE MOTION TO APPEAL IN
FORMA PAUPERIS**

Re: Dkt. No. 1

Debtor Paul Fairfax Soares seeks leave to proceed in forma pauperis (IFP) with respect to his appeal of orders issued by the United States Bankruptcy Court for the Northern District of California. Soares apparently filed his IFP application with the United States Bankruptcy Appellate Panel for the Ninth Circuit, which transferred the motion to this court on January 19, 2018. (Dkt. 1).

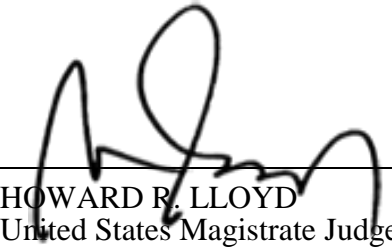
A court may authorize an appeal without prepayment of fees by a person who “submits an affidavit that includes a statement of all assets” the person possesses and shows “that the person is unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a). Having reviewed Soares’ application, the court finds that he has not provided sufficient information about his finances. Accordingly, Soares’ application to proceed on appeal IFP is denied without prejudice to his submission of a fully completed application to this court. For guidance, Soares is directed to the

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IFP application form this court uses, a copy of which is appended to this order.

SO ORDERED.

Dated: January 29, 2018



HOWARD R. LLOYD
United States Magistrate Judge

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff,

vs.

Defendant.

CASE NO. _____

**APPLICATION TO PROCEED
IN FORMA PAUPERIS
(Non-prisoner cases only)**

I, _____, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ___

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

1 and wages per month which you received.

2 _____
3 _____
4 _____

5 2. Have you received, within the past twelve (12) months, any money from any of the
6 following sources:

7 a. Business, Profession or Yes ___ No ___
8 self employment?

9 b. Income from stocks, bonds, Yes ___ No ___
10 or royalties?

11 c. Rent payments? Yes ___ No ___

12 d. Pensions, annuities, or Yes ___ No ___
13 life insurance payments?

14 e. Federal or State welfare payments, Yes ___ No ___
15 Social Security or other govern-
16 ment source?

17 If the answer is "yes" to any of the above, describe each source of money and state the amount
18 received from each.

19 _____
20 _____

21 3. Are you married? Yes ___ No ___

22 Spouse's Full Name: _____

23 Spouse's Place of Employment: _____

24 Spouse's Monthly Salary, Wages or Income:

25 Gross \$ _____ Net \$ _____

26 4. a. List amount you contribute to your spouse's support:\$ _____

27 b. List the persons other than your spouse who are dependent upon you for support
28 and indicate how much you contribute toward their support. (NOTE: For minor

1 children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.)

2 _____
3 _____

4 5. Do you own or are you buying a home? Yes ___ No ___

5 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6 6. Do you own an automobile? Yes ___ No ___

7 Make _____ Year _____ Model _____

8 Is it financed? Yes ___ No ___ If so, Total due: \$ _____

9 Monthly Payment: \$ _____

10 7. Do you have a bank account? Yes ___ No ___ (Do not include account numbers.)

11 Name(s) and address(es) of bank: _____

12 _____

13 Present balance(s): \$ _____

14 Do you own any cash? Yes ___ No ___ Amount: \$ _____

15 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
16 market value.) Yes ___ No ___

17 _____

18 8. What are your monthly expenses?

19 Rent: \$ _____ Utilities: _____

20 Food: \$ _____ Clothing: _____

21 Charge Accounts:

| 22 <u>Name of Account</u> | <u>Monthly Payment</u> | <u>Total Owed on This Account</u> |
|---------------------------|------------------------|-----------------------------------|
| 23 _____ | \$ _____ | \$ _____ |
| 24 _____ | \$ _____ | \$ _____ |
| 25 _____ | \$ _____ | \$ _____ |

26 9. Do you have any other debts? (List current obligations, indicating amounts and to whom
27 they are payable. Do not include account numbers.)

28 _____

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10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ____ No ____

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

DATE

SIGNATURE OF APPLICANT