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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

BARRY MOSS,

Plaintiff,

vs.

JAMES and JANE BALDWIN,

Defendants.

CASE NO. 07-CV-1617-H  
(WMC)

**ORDER CONDITIONALLY  
GRANTING MOTION TO  
PROCEED IN FORMA  
PAUPERIS**

On August 15, 2007, pro se plaintiff Barry Moss (“Plaintiff”) filed a complaint against defendants James and Jane Baldwin (“Defendants”) alleging a violation of the U.S. Fair Credit Reporting Act, 15 U.S.C. § 1681 et. seq. (Doc. No. 1.) Plaintiff concurrently filed a motion to proceed in forma pauperis (“IFP”) under 28 U.S.C. § 1915(a). (Doc. No. 2.) For the reasons stated below, the Court **CONDITIONALLY GRANTS** Plaintiff’s motion to proceed IFP.

**Discussion**

**I. Motion to Proceed In Forma Pauperis**

Section 1915(a) of title 28 of the United States Code allows a court to authorize a party to commence a lawsuit without prepayment of the filing fee if the plaintiff submits an affidavit demonstrating his or her inability to pay the filing fee. Plaintiff submitted a boilerplate IFP request, in which he stated that he has been unemployed since June 2006 and has no means of supporting himself. Plaintiff failed, however, to

1 answer question 10, which asks whether he has any assets or items of value. Therefore,  
2 the Court **grants** Plaintiff's IFP request, **on the condition** that Plaintiff file a  
3 declaration indicating whether he has any assets or items of value, such as, but not  
4 limited to, real estate, trusts, inheritances, bonds, stocks, jewelry, artwork, cars, boats,  
5 or any other item of value, including any items held in someone else's name. The  
6 Court retains discretion to amend this order any deny Plaintiff's IFP request if Plaintiff  
7 fails to provide the Court such a declaration on or before **September 26, 2007**.

8 IT IS SO ORDERED.

9 DATED: August 27, 2007

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11 MARILYN L. HUFF, District Judge  
12 UNITED STATES DISTRICT COURT  
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18 COPIES TO:  
19 All parties of record.  
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