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8	UNITED STATES DISTRICT COURT		
9	SOUTHERN DISTRICT OF CALIFORNIA		
 10 11 12 13 14 15 16 	MICHAEL E. BLAND, Plaintiff, v. CALIFORNIA COAST CREDIT UNION; formerly First Future Credit Union and all consortium members and affiliates also including Solomon, Grindle and Winetringer, Defendants.	<pre>) Civil No.11cv0892 AJB (POR)))) ORDER DENYING IN FORMA) PAUPERIS STATUS)) (Doc. No. 2)))</pre>	
17	On April 26, 2011, Michael E. Bland, a non-prisoner proceeding pro se, filed a Motion to		
18	Proceed in forma pauperis [Doc. No. 2] of case number 3:11-cv-00892-AJB-POR to this Court.		
19	Plaintiff submitted a declaration in support of a request to proceed in forma pauperis in accordance with		
20	28 U.S.C. § 1915(a)(1) and Local Rule 3.2(a).		
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21 The Court finds that the Plaintiff's declaration of inability to pay costs or give security is 22 insufficient to permit Plaintiff to proceed in forma pauperis. Permission to file a petition for writ of 23 mandamus in forma pauperis will not be granted unless there is some merit in the petition. 28 U.S.C.A. 24 § 1915. "To proceed in forma pauperis is a privilege not a right." Smart v. Heinze, 347 F.2d 114, 116 25 (9th Cir.1965). One need not be absolutely destitute to obtain benefits of statute dealing with proceed-26 ings in forma pauperis in federal courts. Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331 (1948). 27 The motion, however, must state facts as to affiant's poverty with some particularity, definiteness and 28 certainty. Jefferson v. U.S., 277 F. 2d 723 (9th Cir. 1960).

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1	The Plaintiff's motion to proceed in forma pauperis lacks merit because:		
2	• Plaintiff has noted receiving income from self-employment but has failed to describe the		
3	amount received.		
4	• Plaintiff notes supporting spouse with \$1,500 "for rent and food," but does not indicate		
5	the source of such funding.		
6	• Plaintiff's debts of "IRS, taxes currently being filed" lack particularity, definiteness and		
7	certainty.		
8	• Plaintiff has failed to note any housing, transportation, utilities, or loan payments, or other		
9	regular monthly expenses.		
10	It is under the Court's discretion to grant or deny permission to proceed <i>in forma pauperis</i> based		
11	on the Plaintiff's claim. 28 U.S.C. § 1915(e)(2). Without further evidence, the Court lacks specific facts		
12	to find that the Plaintiff is not able to pay the filing fee under 28 U.S.C. § 1914(a). It is advised that the		
13	Plaintiff submit a current revision of the short form "Application To Proceed In District Court Without		
14	Prepaying Fees or Costs" available on the United States Courts website. ¹		
15	In light of this information, IT IS HEREBY ORDERED that the Plaintiff's Motion to Proceed <i>in</i>		
16	<i>forma pauperis</i> is DENIED and the Complaint is DISMISSED without prejudice. Pursuant to this		
17	7 Order, however, Plaintiff is granted 30 days leave to pay the \$350 filing fee required to maintain this		
18	action pursuant to 28 U.S.C. § 1914, or to submit additional documentation regarding the Plaintiff's		
19			
20	GARDING HIS POVERTY, HE MUST ATTACH A COPY OF THIS ORDER.		
21	IT IS SO ORDERED.		
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23	DATED: September 29, 2011		
24	Hon. Anthony J. Battaglia		
25	U.S. District Judge		
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28	¹ http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO240.pdf		
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