

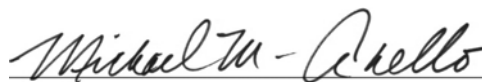
1 *Development Corp.*, 664 F. Supp. 430, 431 (N.D. Ind. 1987).

2 Plaintiff Lay attests he receives income from social security benefits, has a checking
3 account with a present balance of sixty dollars, and owns no other property. However, named
4 Plaintiff Nguyen has not submitted an affidavit of assets. The Court does not have sufficient
5 information to determine whether Plaintiff Nguyen has the available funds to pay the filing fee in
6 this action. Although parties need not be completely destitute to proceed IFP, a court must employ
7 “the same even-handed care . . . to assure that federal funds are not squandered to underwrite, at
8 public expense . . . the remonstrances of a suitor who is financially able, in whole or in material
9 part, to pull his own oar.” *Temple v. Ellerthorpe*, 586 F. Supp. 848, 850 (D.R.I.1984).

10 Therefore, the Court **DENIES** without prejudice Plaintiffs’ motion to proceed IFP. To
11 proceed with this action, Plaintiffs must either pay the \$350 filing fee, or submit a renewed motion
12 to proceed IFP along with affidavits from both plaintiffs, on or before June 9, 2011.

13 **IT IS SO ORDERED.**

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15 DATED: May 26, 2011



Hon. Michael M. Anello
United States District Judge

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