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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MEL M. MARIN,)	Civil No.11cv1610 AJB (JMA)
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	PROCEED IN FORMA PAUPERIS
v.)	[Doc. Nos. 5 and 7]
)	
ESCONDIDO CARE, <i>et al</i> ,)	
)	
Defendants.)	
_____)	


On October 6, 2011, the Plaintiff, Mel M. Marin, a non-prisoner proceeding *pro se*, refiled a Motion to Proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1) and Local Rule 3.2(a). The Court previously denied Plaintiff from proceeding in forma pauperis because his motion failed to state an inability to pay costs or give security with particularity, definiteness and certainty under 28 U.S.C. § 1914(a). On September 29, 2011, Plaintiff was granted 30 days leave to pay \$350.00 filing fee required to maintain the action pursuant to 28 U.S.C. § 1914, or to submit additional documentation regarding economic status. On October 6, 2011, Plaintiff submitted additional documentation regarding his economic status and attached a copy of the Court’s previous Order. On November 30, 2011, the Plaintiff filed a motion to submit additional information for IFP beyond the deadline set by the Court to do so and a motion to seal the declaration.

1 All parties instituting any civil action, suit or proceeding in a district court of the United States,
2 except an application for writ of habeas corpus, must pay a filing fee of \$350. See 28 U.S.C. § 1914(a).
3 An action may proceed despite a party's failure to pay only if the party is granted leave to proceed IFP
4 pursuant to 28 U.S.C. § 1915(a). See *Andrews v. Cervantes*, 493 F.3d 1047, 1051 (9th Cir. 2007);
5 *Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999).

6 In accordance with the *in forma pauperis* statute, 28 U.S.C. § 1915(a)(1), and Civil Local Rule
7 3.2, Plaintiff has now submitted a declaration with specific facts of his inability to pay along with his
8 Motion. In light of the information provided by Plaintiff's revised declaration, the Court hereby
9 **GRANTS** Plaintiff's Motion to Proceed In Forma Pauperis based upon the Plaintiff's Supplemental
10 Points, [Doc. No. 5], and **DENIES AS MOOT** Plaintiff's Motion to Submit Additional Information for
11 IFP and Motion to Seal Declaration, [Doc. No. 7].

12 IT IS SO ORDERED.

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14 DATED: December 8, 2011

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17 Hon. Anthony J. Battaglia
18 U.S. District Judge
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