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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JIMMY MACIAS GO,

Plaintiff,

v.

NANCY A. BERRYHILL, Commissioner
of Social Security,

Defendant.

Case No.: 17-cv-0903-JAH-BGS

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

On May 4, 2017, Plaintiff, proceeding through counsel, filed a complaint seeking review of an administrative decision denying his application for social security disability benefits. [Doc. No. 1]. Plaintiff also filed a motion to proceed without prepayment of fees. [Doc. No. 2]. On January 2, 2018, Plaintiff filed a supplemental motion to proceed without prepayment of fees. [Doc. No. 5].

All parties instituting any civil action, suit or proceeding in a district court of the United States, except an application for writ of habeas corpus, must pay a filing fee of \$400. See 28 U.S.C. § 1914(a). A court may authorize the commencement of a suit without prepayment of fees if the plaintiff submits an affidavit, including a statement of all his or her assets, showing that he or she is unable to pay the fees. See 28 U.S.C. § 1915(a).

1 Plaintiff states he is unemployed and receives no public assistance in the form of
2 disability or unemployment benefits. Plaintiff explains that he has no income and no assets
3 so his family pays his rent and assists him with food, clothing and transportation costs.
4 Based on the information presented by Plaintiff, the Court finds he sufficiently
5 demonstrates his inability to pay the filing fee required to pursue the instant action.

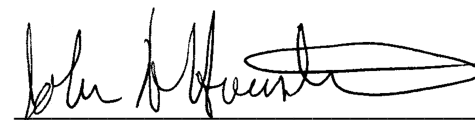
6 Accordingly, **IT IS HEREBY ORDERED:**

7 1. Plaintiff's motion to proceed in forma pauperis is **GRANTED**.

8 2. The United States Marshal Service shall serve a copy of the complaint and
9 summons upon Defendant as directed by Plaintiff on U.S. Marshal Form 285. All costs of
10 service shall be advanced by the United States.

11 3. Plaintiff shall serve upon Defendant or, if appearance has been entered by
12 counsel, upon Defendant's counsel, a copy of every further pleading or other document
13 submitted for consideration of the Court. Plaintiff shall include with the original paper to
14 be filed with the Clerk of the Court a certificate stating the manner in which a true and
15 correct copy of any document was served on Defendant or Defendant's counsel and the
16 date of service. Any paper received by a district judge or magistrate judge which has not
17 been filed with the Clerk or which fails to include a Certificate of Service may be
18 disregarded.

19 DATED: March 7, 2018

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21 JOHN A. HOUSTON
22 United States District Judge