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6 UNITED STATES DISTRICT COURT  
7 SOUTHERN DISTRICT OF CALIFORNIA  
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9 COURTNEY LAINE BEEUNAS,  
10 Plaintiff,  
11 v.  
12 NANCY A. BERRYHILL, Acting  
13 Commissioner of Social Security,  
14 Defendant.

Case No.: 17cv1521-JLS (AGS)

**ORDER DENYING WITHOUT  
PREJUDICE MOTION TO  
PROCEED *IN FORMA PAUPERIS***

(ECF No. 2)

15  
16 Presently before the Court is Plaintiff Courtney Beeunas’s Motion to Proceed *In*  
17 *Forma Pauperis* (“IFP Mot.”). (ECF No. 2.) Plaintiff has filed an action requesting that  
18 this Court review and reverse the Social Security Administration’s (“SSA”) denial of  
19 benefits. (Compl. 1, ECF No. 1.)

20 **IFP MOTION**

21 All parties instituting any civil action, suit, or proceeding in a district court of the  
22 United States, except an application for writ of habeas corpus, must pay a filing fee of  
23 \$400. *See* 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff’s failure to prepay  
24 the entire fee only if he is granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C.  
25 § 1915(a). *See Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999). A federal court  
26 may authorize the commencement of an action without the prepayment of fees if the party  
27 submits an affidavit, including a statement of assets, showing that she is unable to pay the  
28 required filing fee. 28 U.S.C. § 1915(a).

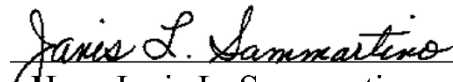
1 In the present case, Plaintiff has submitted an affidavit indicating that she makes no  
2 monthly income and has not held a job since February, 2011. (IFP Mot. 2.) Plaintiff has  
3 \$5.00 in her saving account, \$10.00 in her checking account, and a 2011 Toyota Camry  
4 worth \$5,000. (*Id.* at 2–3.) However, Plaintiff also notes that she has two dependent  
5 children—aged twelve and ten respectively—and that she has monthly expenses totaling  
6 \$1,070.00. (*Id.* at 4–5.) This at the very least suggests that Plaintiff either has some other  
7 source of income or has not fully explained her financial situation to the Court; how has  
8 Plaintiff supported her children and paid her average monthly expenses without any income  
9 for almost six years? Accordingly, the Court cannot at this time make an informed decision  
10 regarding whether Plaintiff is able to pay the \$400 filing fee to proceed in federal court.

### 11 CONCLUSION

12 Given the foregoing, the Court **DENIES WITHOUT PREJUDICE** Plaintiff’s  
13 Motion to Proceed *In Forma Pauperis*. Plaintiff—within thirty days of the date on which  
14 this Order is electronically docketed—may either (1) file a new Motion to Proceed *In*  
15 *Forma Pauperis* addressing the Court’s above-mentioned concerns, or (2) pay the \$400  
16 filing fee.<sup>1</sup>

### 17 IT IS SO ORDERED.

18 Dated: August 14, 2017

19   
20 Hon. Janis L. Sammartino  
21 United States District Judge

22 <sup>1</sup> The Court also notes that if Plaintiff again moves for leave to proceed *in forma pauperis* the Court will  
23 be required to *sua sponte* screen Plaintiff’s underlying Complaint. 28 U.S.C. § 1915(e)(2)(B); *see also*  
24 *Calhoun v. Stahl*, 254 F.3d 845, 845 (9th Cir. 2001) (“[T]he provisions of 28 U.S.C. § 1915(e)(2)(B) are  
25 not limited to prisoners.”). And given Plaintiff’s current, cursory allegations, the underlying Complaint  
26 would likely be subject to dismissal. *See Montoya v. Colvin*, No. 2:16-cv-00454-RFB-NJK, 2016 WL  
27 890922, at \*2 (D. Nev. Mar. 8, 2016) (collecting cases) (finding that the plaintiff failed to state a claim  
28 for relief where the complaint merely alleged that the Commissioner’s decision to deny benefits was  
wrong without explaining why or providing facts regarding claimant’s disability, and instead simply  
recited the general standards governing review of that decision); *see also Hoagland v. Astrue*, No. 1:12-  
CV-00973-SMS, 2012 WL 2521753, at \*1 (E.D. Cal. June 28, 2012) (“The purpose of the complaint is to  
briefly and plainly allege facts supporting the legal conclusion that the Commissioner’s decision was  
wrong.” (citing *Brown v. Astrue*, No. 11-cv-056-JL, 2011 WL 3664429, at \*3 (D.N.H. Aug. 19, 2011))).