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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 MICHAEL VALIANT,

12 Plaintiff,

13 v.

14 NANCY A. BERRYHILL, Commissioner  
15 of Social Security,

16 Defendant.  
17

Case No.: 17-cv-2085-JAH-AGS

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

18 On October 10, 2017, Plaintiff, proceeding through counsel, filed a complaint  
19 seeking review of an administrative decision denying his application for social security  
20 disability benefits. [Doc. No. 1]. Plaintiff also filed a motion to proceed without  
21 prepayment of fees. [Doc. No. 2].

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

27 Plaintiff states he and his spouse are unemployed. Plaintiff receives \$357.00 dollars  
28 in food stamps and his wife will be receiving \$260.00 in unemployment benefits every

1 month. Additionally, Plaintiff explains that a friend is allowing the couple stay in his home  
2 during their present time of hardship. Based on the information presented by Plaintiff, the  
3 Court finds he sufficiently demonstrates his inability to pay the filing fee required to pursue  
4 the instant action.

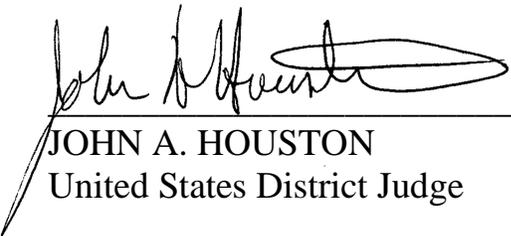
5 Accordingly, **IT IS HEREBY ORDERED:**

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

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

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

18 DATED: March 7, 2018

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22 JOHN A. HOUSTON  
23 United States District Judge  
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