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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 JERRY JACKSON,

12 Plaintiff,

13 v.

14 TORREY CREST INC dba SUBWAY  
15 #38637, MORENA VISTA LLC, and  
16 DOES 1-10, inclusive,

17 Defendant.

Case No.: 18cv0593-GPC(MDD)

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO  
PROCEED IN FORMA PAUPERIS**

**[Dkt. No. 2.]**

18 On March 21, 2018, Plaintiff, proceeding with counsel, filed a complaint asserting  
19 claims the Americans with Disabilities Act, Unruh Civil Rights Act and negligence.  
20 (Dkt. No. 1.) Along with the Complaint, Plaintiff filed a motion to proceed *in forma*  
21 *pauperis*. (Dkt. 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.<sup>1</sup> See 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff's failure to  
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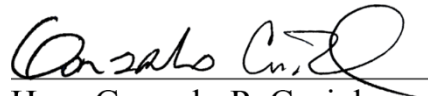
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28 <sup>1</sup> In addition to the \$350 statutory fee, civil litigants must pay an additional administrative fee of \$50.  
See 28 U.S.C. § 1914(a) (Judicial Conference Schedule of Fees, District Court Misc. Fee Schedule, § 14

1 prepay the entire fee only if the plaintiff is granted leave to proceed *in forma pauperis*  
2 pursuant to 28 U.S.C. § 1915(a). See Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir.  
3 1999). A court may authorize the commencement of a suit without prepayment of fees if  
4 the plaintiff submits an affidavit, including a statement of all of his or her assets, showing  
5 that he or she is unable to pay the fees. See 28 U.S.C. §1915(a).

6 In his Declaration, Plaintiff states he is currently unemployed and received \$870  
7 per month in disability income. (Dkt. No. 2 at 2.) He receives no other income, has no  
8 bank accounts and no real property or assets. He has monthly living expense of about  
9 \$802. The Court finds that Plaintiff has sufficiently demonstrated he is unable to pay the  
10 required filing fee. Accordingly, the Court GRANTS Plaintiff's motion to proceed *in*  
11 *forma pauperis*.

12 IT IS HEREBY ORDERED.

13 Dated: March 23, 2018

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15 Hon. Gonzalo P. Curiel  
16 United States District Judge  
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(eff. Dec. 1, 2014)). The additional \$50 administrative fee does not apply to persons granted leave to proceed IFP. Id.