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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 ROSA MARIA V.,

12 Plaintiff,

13 v.

14 ANDREW M. SAUL, Commissioner of  
15 Social Security,

16 Defendant.

Case No.: 21-CV-0012-DEB

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

**[DKT. NO. 2]**

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18 On January 5, 2021, Plaintiff Rosa Maria V. commenced an action against Andrew  
19 M. Saul, the Acting Commissioner of Social Security, seeking review of a final adverse  
20 decision of the Commissioner. Dkt. No. 1. Plaintiff also filed an Application to Proceed  
21 with her Complaint in forma pauperis. Dkt. No. 2.

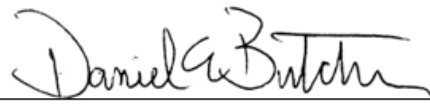
22 A court may authorize the commencement of a suit without prepayment of fees if  
23 the plaintiff submits an affidavit, including a statement of all his or her assets, showing that  
24 he or she is unable to pay the filing fee. *See* 28 U.S.C. § 1915(a). The affidavit must “state  
25 the facts as to [the] affiant's poverty with some particularity, definiteness and certainty.”  
26 *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir.1981) (internal quotations omitted).  
27 A party need not be completely destitute to proceed in forma pauperis. *Adkins v. E.I.*  
28 *DuPont de Nemours & Co.*, 335 U.S. 331, 339–340 (1948). An affidavit is sufficient if it

1 shows that the applicant cannot pay the fee “and still be able to provide himself [or herself]  
2 and dependents with the necessities of life.” *Id.* (internal quotations omitted).

3 Plaintiff is unemployed and has limited income and assets. She receives \$194.00 per  
4 month in food stamps. Dkt. No. 2, at 2. Her only asset is a 1997 Honda Civic LX that was  
5 gifted to her. *Id.* at 3. Based on the foregoing, the Court finds Plaintiff has sufficiently  
6 shown she lacks the financial resources to pay her filing fee and GRANTS her Application  
7 to Proceed with her Complaint in forma pauperis.

8 IT IS SO ORDERED.

9 Dated: January 5, 2021

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11 Daniel E. Butcher  
12 United States Magistrate Judge