

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KATE JENNINE BUNNELL,

No. 3:17-cv-00175-HZ

Plaintiff,

OPINION & ORDER

v.

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION,

Defendant.

Sara L. Gabin  
Sara L. Gabin, P.C., Attorney at Law  
14523 Westlake Drive  
Lake Oswego, Oregon, 97035

Attorney for Plaintiff

Janice E. Hebert  
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Portland, Oregon 97204

Attorney for Defendant

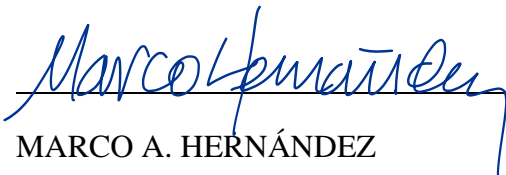
HERNÁNDEZ, District Judge:

Plaintiff Kate Bunnell's Application to Proceed In Forma Pauperis ("IFP") [2] is denied. A review of the application indicates that Plaintiff's husband has a regular income of \$4604 per month that she may use to pay the filing fee in this case. Plaintiff also indicated that she receives \$1504 per month in pensions, annuities, or life insurance payments. A litigant must show that he or she "cannot because of his poverty pay or give security for the costs and still be able to provide himself and dependents with necessities of life." *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948). Litigants are not required to contribute their "last dollar" or "make themselves and their dependents wholly destitute." *Id.* Courts may look to the federal poverty guidelines as a reference point for determining whether granting IFP status is warranted. The 2017 federal poverty guidelines set the poverty threshold for a household with two persons at \$16,240. See U.S. DEP'T OF HEALTH & HUMAN SERVS., Poverty Guidelines, <https://aspe.hhs.gov/poverty-guidelines> (Jan. 26, 2017). Plaintiff's income is well in excess of the federal poverty guidelines and exceeds her monthly expenses.

#### CONCLUSION

Plaintiff's Application to Proceed In Forma Pauperis [2] is DENIED.

Dated this 7 day of March, 2017.

  
MARCO A. HERNÁNDEZ  
United States District Judge