



1 a civil litigant must demonstrate both that the litigant is unable to pay court fees and that the  
2 claims he or she seeks to pursue are not frivolous.” *Ogunsalu v. Nair*, 117 F. App’x 522, 523  
3 (9th Cir. 2004), *cert. denied*, 544 U.S. 1051 (2005). To meet the first prong of this test, a litigant  
4 must show that he or she “cannot because of his [or her] poverty pay or give security for the  
5 costs and still be able to provide him[ or her]self and dependents with the necessities of life.”  
6 *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948) (internal alterations  
7 omitted).

8 Plaintiff did not complete the attestation of the IFP application declaring that he is unable  
9 to pay the costs of proceedings, or state how much money he has in checking and savings. Under  
10 these circumstances, Plaintiff should not be authorized to proceed IFP unless he corrects these  
11 deficiencies.

12 Accordingly, Plaintiff is ORDERED to show cause by **May 24, 2024**, why the Court  
13 should not recommend his IFP application be denied. The Clerk is directed to send copies of this  
14 Order to Plaintiff and to the Honorable Robert S. Lasnik.

15 Dated this 9th day of May, 2024.

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17 MICHELLE L. PETERSON  
18 United States Magistrate Judge  
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