

OCT 16 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TRESA LEOLA BOWEN,

Plaintiff - Appellant,

v.

MICHAEL J. ASTRUE, Commissioner for
Social Security Administration,

Defendant - Appellee.

No. 11-55935

D.C. No. 2:11-cv-01619-UA-SS

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Audrey B. Collins, District Judge, Presiding

Submitted October 9, 2012**

Before: RAWLINSON, MURGUIA, and WATFORD, Circuit Judges.

Tresa Leola Bowen appeals pro se from the district court’s order denying her application to proceed in forma pauperis (“IFP”) in her action against the

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2). Accordingly, Bowen’s request for oral argument is denied.

Commissioner of Social Security. We have jurisdiction under 28 U.S.C. § 1291.

We review de novo the district court's determination that a complaint lacks arguable substance in law or fact, and for an abuse of discretion the denial of IFP.

Tripati v. First Nat'l Bank & Trust, 821 F.2d 1368, 1369 (9th Cir. 1987). We affirm.

The district court properly denied Bowen's IFP application after concluding that her complaint, which contained indecipherable facts and unsupported legal assertions, was frivolous. *See id.* at 1370 ("A district court may deny leave to proceed in forma pauperis at the outset if it appears from the face of the proposed complaint that the action is frivolous[.]"); *see also O'Loughlin v. John Doe*, 920 F.2d 614, 617 (9th Cir. 1990) ("An in forma pauperis complaint is frivolous if it has no arguable basis in fact or law." (citation and internal quotation marks omitted)).

All pending motions are denied.

AFFIRMED.