

DEC 4 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>RENA ESTHER STARKS,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>LAND TITLE OF NEVADA, INC.; et al.,</p> <p>Defendants - Appellees.</p> |
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No. 13-16617

D.C. No. 2:13-cv-00188-APG-CWH

MEMORANDUM\*

Appeal from the United States District Court  
for the District of Nevada  
Andrew P. Gordon, District Judge, Presiding

Submitted November 18, 2014\*\*

Before: LEAVY, FISHER, and N.R. SMITH, Circuit Judges.

Rena Esther Starks appeals pro se from the district court’s judgment dismissing her action for failure to pay the filing fee. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the district court’s denial of leave to proceed in forma pauperis (“IFP”). *O’Loughlin v. Doe*, 920 F.2d 614,

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\* 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).

616 (9th Cir. 1990). We affirm.

The district court did not abuse its discretion in denying Starks leave to proceed IFP because, based on the information that Starks provided in her IFP application, the district court was unable to verify her poverty. *See Rowland v. Cal. Men's Colony*, 506 U.S. 194, 203 (1993) (an affidavit in support of IFP status is sufficient if it states that, because of one's poverty, one cannot pay court costs and still be able to provide oneself with the necessities of life); *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981) (per curiam) (affiant must state facts in support of poverty with "some particularity, definiteness and certainty" (citation and internal quotation marks omitted)).

Starks's motion for summary judgment and writ order, filed on April 2, 2014, is denied.

Starks's motion to expedite, filed on July 28, 2014, is denied as moot.

**AFFIRMED.**