

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 20 2023

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JASPER CROOK,

No. 22-55255

Plaintiff-Appellant,

D.C. No. 5:22-cv-00008-JVS-AS

v.

MEMORANDUM*

SAN BERNARDINO COUNTY
SHERIFF'S DEPARTMENT;
VICTORVILLE POLICE DEPARTMENT;
T. BECHTOL,

Defendants-Appellees.

Appeal from the United States District Court
for the Central District of California
James V. Selna, District Judge, Presiding

Submitted April 17, 2023**

Before: CLIFTON, R. NELSON, and BRESS, Circuit Judges.

Jasper Crook appeals pro se from the district court's order denying Crook's application to proceed in forma pauperis ("IFP") in his 42 U.S.C. § 1983 action alleging federal and state law claims. We have jurisdiction under 28 U.S.C.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

§ 1291. We review for an abuse of discretion the denial of leave to proceed IFP.

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

The district court did not abuse its discretion in denying Crook's IFP application because Crook failed to make a sufficient showing of indigency. *See* 28 U.S.C. § 1915(a)(1) (explaining that a person seeking IFP status must “submit[] an affidavit that includes a statement of all assets such [person] possesses [and] that the person is unable to pay such fees or give security therefor”); *Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015) (“[A] plaintiff seeking IFP status must allege poverty ‘with some particularity, definiteness, and certainty.’” (citation omitted)).

We reject as meritless Crook's contention that the requirement to seek IFP status or otherwise pay a filing fee is unconstitutional.

In light of this disposition, we do not consider Crook's contentions about the underlying merits of his action.

AFFIRMED.