

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DONNA FAY PETTYJOHN,

Plaintiff,

vs.

No. CIV 23-0422 JB/LF

KILOLO KIJAKAZI, Acting Commissioner of
the Social Security Administration,

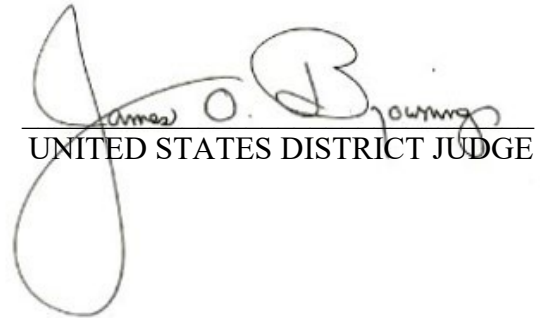
Defendant.

**MEMORANDUM OPINION AND ORDER FINDING THE MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION MOOT**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition Denying Motion to Proceed in Forma Pauperis Pursuant to 28 U.S.C. § 1915, filed May 16, 2023 (Doc. 6)(“PFRD”). In the PFRD, the Honorable Laura Fashing, United States Magistrate Judge for the United States District Court for the District of New Mexico, recommends that the Court deny Plaintiff Donna Fay Pettyjohn's Motion to Proceed in Forma Pauperis With Financial Affidavit Pursuant to 28 U.S.C. § 1915, filed May 15, 2023 (Doc. 2)(“IFP Motion”), because “Pettyjohn's affidavit fails to demonstrate that she meets the indigency requirement for proceeding [in forma pauperis].” PFRD at 2. The PFRD also advises Pettyjohn of her ability to file objections to the PFRD within fourteen days of the PFRD's filing, and that failure to do so waives appellate review. See PFRD at 3. Pettyjohn did not file any objections by the deadline. See PFRD at 3. On May 18, 2023, Pettyjohn paid the \$402.00 filing fee. See Text-Only Docket Entry, filed May 18, 2023 (no docket number given). Because Pettyjohn has paid the filing fee, Magistrate Judge Fashing found the IFP Motion moot on June 26, 2023. See Order, filed June 26, 2023 (Doc. 10)(text-only). Accordingly, the Court concludes

that the PFRD is also moot.

IT IS ORDERED that the Magistrate Judge's Proposed Findings and Recommended Disposition Denying Motion to Proceed in Forma Pauperis Pursuant to 28 U.S.C. § 1915, filed May 16, 2023 (Doc. 6), is moot.



James O. Downing
UNITED STATES DISTRICT JUDGE

Counsel:

Laura J. Johnson
Armstrong Johnson Law, LLC
Albuquerque, New Mexico

Attorneys for the Plaintiff

Jessica Milano
General Attorney
Social Security Administration
Baltimore, Maryland

Attorneys for the Defendant