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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Armentha Hooker,

10 Plaintiff,

11 v.

12 Carolyn W. Colvin,

13 Defendant.
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No. CV-13-02616-PHX-JAT

ORDER

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17 Before the Court is Plaintiff's Motion for Leave to Proceed In Forma Pauperis
18 (Doc. 23). The Court now rules on the motion.

19 Plaintiff's motion requests leave to appeal, in forma pauperis, this Court's
20 February 3, 2015 order affirming the decision of the Social Security Administrative Law
21 Judge ("ALJ"). (Doc. 19). Plaintiff attached to the motion her affidavit showing why she
22 is unable to pay or give security for fees and costs and stating her grounds on appeal.
23 (Doc. 23-1).

24 Federal Rule of Appellate Procedure 24(a)(1) provides that a party's motion to
25 appeal in forma pauperis is filed with the district court and must be accompanied by an
26 affidavit that: "(A) shows in the detail prescribed by Form 4 of the Appendix of Forms
27 the party's inability to pay or to give security for fees and costs; (B) claims an entitlement
28 to redress; and (C) states the issues that the party intends to present on appeal."

1 In her affidavit, Plaintiff declares that she averages approximately \$912 in
2 monthly expenses and that her income is approximately \$953 per month. (Doc. 23-1).
3 She also declares that she is unemployed, has only \$3 in a single checking account, does
4 not own a home, owns a 2007 Chevy Equinox, and has a twelve year old daughter and
5 fifteen year-old son who rely on Plaintiff for support. The Court finds that these
6 circumstances demonstrate Plaintiff's inability to pay or give security for the fees and
7 costs associated with her appeal.


8 Plaintiff's affidavit also describes her issues on appeal: whether the ALJ erred in
9 determining Plaintiff's residual functional capacity and in weighing the medical source
10 opinion. (Doc. 23-1). The affidavit also states that Plaintiff "believes [she] is entitled to
11 redress." (*Id.*). Thus, the Court finds that Plaintiff has stated the issues that she intends to
12 present on appeal and that she is entitled to redress.

13 Accordingly,

14 **IT IS ORDERED** that Plaintiff's Motion for Leave to Proceed In Forma Pauperis
15 (Doc. 23) in **GRANTED**.

16 Dated this 19th day of May, 2015.

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James A. Teilborg
Senior United States District Judge