

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

TONY NENNINGER

PLAINTIFF

v.

Civil No. 07-3028

UNITED STATES FOREST
SERVICE, ET AL.

DEFENDANTS

ORDER

NOW on this 28th day of June 2007, comes on for consideration plaintiff's **Motion for Leave to Proceed In Forma Pauperis** (document #2) and the Court, being well and sufficiently advised, finds and orders as follows:

1. According to plaintiff's application to proceed in forma pauperis ("IFP"), plaintiff is a third-year law student who receives monthly income through both vocational rehabilitation and student loans. Specifically, plaintiff states that he receives "\$425.00 per month from vocational rehabilitation in Missouri and student loans." It is not clear from plaintiff's application whether the cited \$425.00 income includes money received from student loans or if he receives income from student loans over and above a \$425.00 monthly income received through vocational rehabilitation alone.

2. Plaintiff's application also notes the following financial resources and obligation:

- * An 11-acre homestead in Crawford County, Missouri;
- * A vehicle valued at \$1,750.00;

* A current checking account balance of \$117.00; and

* Monthly child-support payments, in the amount of \$50, for the support of one dependant.

3. Based on the above accounting of plaintiff's assets, he now moves the Court to grant him IFP status. However, the Court is not satisfied that plaintiff has made a requisite showing of indigency. Rather, considering as a whole factors such as plaintiff's income and assets, his indebtedness, if any, and the number of his dependents, the Court finds that plaintiff should not be granted IFP status.

IT IS, THEREFORE, ORDERED that plaintiff's Motion for Leave to Proceed In Forma Pauperis (document #2) should be, and it hereby is, **DENIED**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE