

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

RICHARD C. BURGER

PLAINTIFF

v.

CIVIL NO. 11-3069

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

ORDER

On August 15, 2011, Plaintiff submitted a complaint for filing in this district, together with a request for leave to proceed *in forma pauperis*. ECF Nos. 1, 2. Subsequently, an order was issued directing the clerk to provisionally file the complaint prior to obtaining more specific information regarding Plaintiff's incarceration and institutional account. ECF No. 4. Pursuant to the order, Plaintiff submitted an amended *in forma pauperis* application. ECF No. 5. After review, it is found that Plaintiff is unable to pay for the costs of commencement of suit and, accordingly, the following order is entered:

Plaintiff's motion for leave to proceed *in forma pauperis* is granted. The court directs that a copy of the complaint filed herein, along with a copy of this order, be served by Plaintiff by certified mail, return receipt requested, on Defendant, Michael J. Astrue, Commissioner, Social Security Administration, as well as Eric H. Holder, Jr., U.S. Attorney General, and Mark W. Webb, Assistant U.S. Attorney, without prepayment of fees and costs. Defendant is ordered to answer within sixty (60) days from the date of service.

IT IS SO ORDERED this 18th day of August 2011.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF U.S. MAGISTRATE JUDGE