

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

KENNETH HORNE,
Plaintiff,

vs.

Case No. 3:09cv194/MCR/EMT

MICHAEL J. ASTRUE,
Commissioner of the Social Security
Administration,
Defendant.

_____ /

ORDER

Plaintiff has filed a complaint for judicial review of an adverse administrative decision of the Defendant and a motion for leave to proceed in forma pauperis (Docs. 1, 3). In the affidavit of financial status, Plaintiff indicates that his monthly income is approximately \$2,772.00, with monthly debts totaling approximately \$1,380.00 (Doc. 3, Affidavit at 3). It affirmatively appears that leave to proceed in forma pauperis should be denied, as Plaintiff has approximately \$1,392.00 a month available in disposable income. Therefore, in order to proceed with this case, Plaintiff must pay the full filing fee of \$350.00.

Accordingly, it is **ORDERED**:

1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is **DENIED**. To proceed with this case, Plaintiff shall submit payment of \$350.00 to the clerk of this court within **THIRTY (30) DAYS** of the date of docketing of this order.

2. Failure to comply with this order may result in a recommendation that this case be dismissed.

DONE AND ORDERED this 8th day of May 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE