

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

GLENN E. MIXON,
Plaintiff,

vs.

Case No. 5:09cv324/RH/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 has filed a motion for leave to proceed in forma pauperis (Docs. 1, 3). Upon review of the motion and attached financial affidavit, the court concludes that Plaintiff has failed to provide sufficient information for the court to grant the motion. In order to proceed with this case, Plaintiff therefore will be required to either file a properly completed in forma pauperis application or pay the full filing fee of \$350.00.

The court notes the following deficiencies in Plaintiff's affidavit of financial status. Plaintiff indicates that in 2008 he earned an average of "> \$200.00" per month, which means an average of "greater than" \$200.00 per month (Doc. 3 at 2). This answer is not sufficiently specific; in order to make a proper determination of Plaintiff's eligibility to proceed in forma pauperis the court must be provided with more precise information concerning Plaintiff's monthly income. Similarly, with respect to the Ford Astro automobile which Plaintiff states he owns, Plaintiff must state with more specificity the value of this vehicle; identifying the value as being "greater than" \$100.00 is insufficient. Plaintiff should also be sure to fill out every applicable part of the form, including listing the total monthly payment on his debts.

Accordingly, it is **ORDERED**:

1. The clerk of court is directed to send Plaintiff a copy of the forms for non-prisoner parties to request leave to proceed in forma pauperis. This case number shall be written on the forms.

2. Plaintiff's motion to proceed in forma pauperis (Doc. 3) is **DENIED** without prejudice. Within **THIRTY (30) DAYS** from the date of docketing of this order, Plaintiff shall pay the full \$350.00 filing fee, or submit a motion to proceed in forma pauperis with a properly completed affidavit of financial status.

3. Failure to comply with this order may result in a recommendation of dismissal of this action.

DONE AND ORDERED this 5th day of October 2009.

/s/ Elizabeth M. Timothy _____

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE