

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

GREGORY E. FONDREN, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 COMMISSIONER OF SOCIAL )  
 SECURITY, )  
 )  
 Defendant. )

Case No. 10-cv-1407

**O P I N I O N and O R D E R**

Before the Court is the Motion to Proceed in forma pauperis (Doc. 2) filed by Plaintiff. The Motion is GRANTED.

Title 28 U.S.C. § 1915 provides that a person may initiate a civil lawsuit without prepayment of fees if that person is financially unable to pay the costs of suit. Plaintiff states that he receives \$325.00 per month from “Township” (which the Court assumes is some sort of public assistance) and that he receives \$145.00 per month in food stamps. Plaintiff avers that he has no other income and that he has no money in a checking or savings account (or any other assets except a car worth \$600.00). The Court finds that Plaintiff is unable to pay the \$350.00 filing fee at this time.

Plaintiff is informed that once service upon Defendant is accomplished, the administrative record in his case will be filed with the Clerk’s office. Once it has been filed, Plaintiff will be required to file a:

Motion for Summary Judgment and Memorandum of Law which shall state with particularity which findings of the Commissioner are contrary to law. The plaintiff shall identify the statute, regulation or case law under which the Commissioner allegedly erred. The plaintiff shall cite to the record by page number the factual evidence which supports the plaintiff's position. Arguing generally, 'the decision of the Commissioner is not supported by substantial evidence' is not sufficient to meet this rule. Local Rule 8.1(D).

Thereafter, the Commissioner will file its own Cross-Motion for Summary Judgment.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed in forma pauperis is GRANTED (Doc. 2). The Clerk shall deliver three copies, along with summons, to the United States Marshal who is directed to serve it on Defendant in accordance with Federal Rule of Civil Procedure 4(i).

Entered this 21st day of December, 2010

s/ Joe B. McDade  
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JOE BILLY MCDADE  
United States Senior District Judge