

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

|                             |   |               |
|-----------------------------|---|---------------|
| LAURA BETH LUNA,            | ) |               |
|                             | ) |               |
| Plaintiff,                  | ) |               |
|                             | ) |               |
| v.                          | ) | No. 10 C 3126 |
|                             | ) |               |
| HUMAN RESOURCES DEVELOPMENT | ) |               |
| INSTITUTE, INC., et al.,    | ) |               |
|                             | ) |               |
| Defendants.                 | ) |               |

MEMORANDUM ORDER

Laura Luna ("Luna") has brought this action against her ex-employer Human Resources Development Institute, Inc. and its Director of Human Resources Stephanie Griffin, asserting both a claim of violation of the FMLA and a Title VII claim of employment discrimination. But Luna has not paid the required \$350 filing fee, tendering instead a filled-out In Forma Pauperis Application ("Application").<sup>1</sup>

Luna's difficulty in that respect is that she reports that both she and her husband are employed, with an aggregate monthly income of \$3,500, in addition to which she reflects her receipt of a pension of more than \$1,100 during the preceding 12 months. That level of aggregate income provides an insufficient showing

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<sup>1</sup> Apart from the matter dealt with next in the text, the Application is puzzling because Luna purports to offer it in support of a motion for appointment of counsel as well as seeking to excuse payment of the filing fee. But the Complaint has been prepared and filed on her behalf by the Legal Assistance Foundation of Metropolitan Chicago, so that she obviously has no need for this Court to appoint pro bono counsel to represent her.

for a grant of in forma pauperis status. So Luna's Application is denied--but in recognition of the unlikelihood that the family unit has \$350 in hand for payment of the filing fee, Luna is granted until August 27, 2010 to make that payment, failing which this Court would be constrained to dismiss this action for nonpayment of the fee.



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Milton I. Shadur  
Senior United States District Judge

Date: May 26, 2010