

## United States District Court, Northern District of Illinois

<b>Name of Assigned Judge or Magistrate Judge</b>	Virginia M. Kendall	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	12 C 3577	<b>DATE</b>	5/30/2012
<b>CASE TITLE</b>	Annan vs. City of Romeoville et al		

### DOCKET ENTRY TEXT

Annan's Motion to Proceed *In Forma Pauperis* [4] is denied because his financial affidavit does not set forth his inability to pay the mandated court fees. Annan is free to pay the mandated filing fees and present his Complaint to this Court again.

■ [ For further details see text below.]

Docketing to mail notices.

### STATEMENT

Plaintiff Kenneth Annan moves to proceed *in forma pauperis* without the full prepayment of filing fees.

Annan brings a cause of action against the City of Romeoville, Romeoville Police Officer R. Zamborowski, two Unknown Romeoville Police Officers, Steve Timmer, and Spotless Express alleging violations of 42 U.S.C. § 1983 and the Fourth and Fourteenth Amendments for false arrest, unlawful detention, excessive force, deliberate indifference to the medical needs of a pretrial detainee, and malicious prosecution.

Pursuant to 28 U.S.C. § 1915(a), the Court may authorize Annan to proceed *in forma pauperis* if he is unable to pay the mandated court fees. Annan need not be penniless to proceed *in forma pauperis* under § 1915(a)(1). *See Zaun v. Dobbin*, 628 F.2d 990, 992 (7th Cir. 1980). Instead, he is eligible to proceed *in forma pauperis* if payment of the filing fee will prevent him from providing for life's necessities. *See id.* According to his financial affidavit, Annan is currently unemployed and was last employed from February 9, 2009 through July 7, 2010. At that time Annan was employed by the City Colleges of Chicago, earning \$1,200 per month. Annan is married, and his financial affidavit states that his wife has an income of \$23,000 per month. In the last twelve months, Annan has made professional income in the amount of \$4,200. His wife owns a car with a current value of \$3,000, in which she has \$1,000 in equity. Based on these facts, Annan's financial affidavit does not set forth his inability to pay the mandated court fees.

**STATEMENT**

Annan's Motion to Proceed *In Forma Pauperis* is denied because his financial affidavit does not set forth his inability to pay the mandated court fees. Annan is free to pay the mandated filing fees and present his Complaint to this Court again.