

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

ALICIA CASANOVA,)	
)	
Plaintiff,)	
)	
v.)	No. 13 C 676
)	
MICHAEL J. ASTRUE,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

JAMES F. HOLDERMAN, Chief Judge:

On January 28, 2013, plaintiff Alicia Casanova (“Casanova”) submitted to this court a complaint seeking review of the Commissioner of Social Security’s final decision to deny Casanova’s claim for disability benefits. (Dkt. No. 1.) Along with the complaint, Casanova submitted an “In Forma Pauperis Application.” (Dkt. No. 4.)

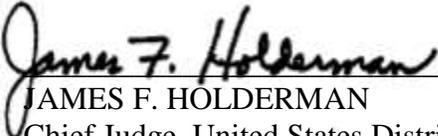
Requests to proceed in forma pauperis (“IFP”) are reviewed under 28 U.S.C. § 1915. To ensure that indigent litigants have meaningful access to the courts, § 1915 allows an indigent litigant to commence an action in federal court without paying the administrative costs of the lawsuit. *Denton v. Hernandez*, 504 U.S. 25, 27 (1992); *Neitzke v. Williams*, 490 U.S. 319, 324 (1988). The court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2); *see also Hutchinson v. Spink*, 126 F.3d 895, 899 (7th Cir. 1997) (recognizing the applicability of § 1915 to cases brought by non-prisoners).

According to her financial affidavit, Casanova has been unemployed since at least January 2004. Casanova receives \$267.03 per month in social security benefits, \$462.97 per month in pension payments, and \$29.00 per month in food stamps. Her only other asset is a 2000 Sienna valued at \$2,000 that she owns in full.

Based on these sworn allegations, the court finds that Casanova is indigent and unable to pay the \$350 civil filing fee in this case. Because the court, after review of the allegations, has no basis to believe that Casanova's action is frivolous, fails to state a claim, or seeks monetary relief against an immune defendant, Casanova's application for leave to proceed in forma pauperis is granted.

The Clerk of Court is directed to docket Casanova's complaint without payment of the \$350 filing fee. Casanova is to provide the U.S. Marshals Service with a copy of the complaint and a proper form for service on the named defendant. The Marshal is requested to serve the complaint and appropriate papers on the named defendant. The case is set for a report on status at 9:00 a.m. on 2/28/13.

ENTER:



JAMES F. HOLDERMAN
Chief Judge, United States District Court

Date: January 30, 2013