

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

Tyron Collins (#R-07272),)
Plaintiff,) Case No. 17 C 50193
v.)
Tyler Gunderson, et al.,) Judge Philip G. Reinhard
Defendants.)

ORDER

Plaintiff's application for leave to proceed *in forma pauperis* [5] is denied. Plaintiff must pay the full statutory filing fee of \$400.00. Failure to remit the filing fee within 30 days will result in summary dismissal of this case. Ruling on plaintiff's motion for attorney representation [6] and motion for service of process under Federal Rule of Civil Procedure 4(c)(3) [4] is deferred.

STATEMENT

Plaintiff Tyron Collins, an Illinois prisoner, brings this *pro se* civil rights action under 42 U.S.C. § 1983, concerning medical treatment he received while incarcerated at Dixon Correctional Center. Plaintiff seeks leave to proceed *in forma pauperis* because, he says, he is indigent.

Plaintiff's application to proceed *in forma pauperis* must be denied for lack of a sufficient showing of indigence. The trust fund statement attached to plaintiff's application to proceed *in forma pauperis* reveals that on June 16, 2017 (less than one week before he signed his complaint on June 21, 2017), plaintiff had a balance of \$1,292.75 in his trust fund account. Because plaintiff is incarcerated, such assets do not qualify him for pauper status. *See Lumbert v. Ill. Dep't of Corr.*, 827 F.2d 257, 260 (7th Cir. 1987); *Zaun v. Dobbin*, 628 F.2d 990, 993 (7th Cir. 1980).

Accordingly, the court finds that plaintiff is financially able to pay the \$400.00 filing fee. Plaintiff must prepay the statutory filing fee if he wishes to proceed with this action. Plaintiff may pay by check or money order made payable to Clerk, United States District Court. If plaintiff fails to comply with this order by the date set forth above, the case will be summarily dismissed.

Date: 7/14/2017

ENTER:

Philip G. Reinhard

United States District Court Judge

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