

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<p>ANTHONY STEELE,</p> <p style="padding-left: 100px;">Plaintiff,</p> <p>vs.</p> <p>ALAN UCHTMAN, et al.,</p> <p style="padding-left: 100px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>CIVIL NO. 06-313-MJR</p>
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MEMORANDUM AND ORDER

REAGAN, District Judge:

The Court previously denied Plaintiff's motion to proceed *in forma pauperis*, finding that Plaintiff had blatantly misrepresented his previous litigation history. Now before the Court is Plaintiff's motion for reconsideration (Doc. 5), accompanied by a new motion for leave to proceed *in forma pauperis* (Doc. 6). Plaintiff explains that his misrepresentation was not designed to mislead the Court. Instead, he believed that his settled cases had essentially been expunged, and thus he thought he need not mention those cases. Giving Plaintiff the benefit of the doubt, the Court will accept this explanation. Therefore, the motion for reconsideration is **GRANTED**.

The Court now finds that Plaintiff is indigent and unable to pay the full filing fee in advance; therefore, leave to proceed *in forma pauperis* is **GRANTED**. Since Plaintiff was released from custody shortly after he filed this action, the Court cannot now assess and collect the filing fee pursuant to 28 U.S.C. § 1915.

IT IS SO ORDERED.

DATED this 9th day of June, 2006.

s/ Michael J. Reagan _____
MICHAEL J. REAGAN
United States District Judge