

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

VALERIE SLAUGHTER,

Plaintiff,

v.

**LABORERS LOCAL 670 AND
FRED WEBER INC.,**

Defendants.

No. 06-CV-503-DRH

ORDER

HERNDON, District Judge:

On June 23, 2006, Valerie Slaughter (“Plaintiff”) filed suit against the Laborers Local 670 and Fred Weber, Inc., for employment discrimination. (Doc. 1.) Now before the Court is Plaintiff’s motion to proceed in forma pauperis. (Doc. 2.) Because the Court finds that Plaintiff is indigent, the Court grants the motion.

By granting a motion for pauper status, a court authorizes a lawsuit to proceed without prepayment of fees. For many years, federal district courts granted such motions if the movant was indigent and the complaint was neither frivolous nor malicious. **28 U.S.C. § 1915**. The Prison Litigation Reform Act (“PLRA”), significantly changed the district court’s responsibilities in reviewing pro se complaints and in forma pauperis motions. The Seventh Circuit has clarified that the PLRA “changed § 1915 not only for cases brought by prisoners, but in some respect for all indigent litigants.” **Hutchinson v. Spink, 126 F.3d 895, 899 (7th**

Cir. 1997). Under the PLRA, the Court must screen any indigent's complaint (those filed by prisoners and non-prisoners alike) and dismiss the complaint if (a) the allegation of poverty is untrue, (b) the action is frivolous or malicious, (c) the action fails to state a claim upon which can be granted, or (d) the action seeks monetary relief against a defendant who is immune from such relief. **28 U.S.C. § 1915(e)(2)**.

Plaintiff's motion survives **section 1915(e)(2)** review. She furnished an affidavit documenting his poverty. The action appears to be neither frivolous nor malicious. At this point, the Court cannot conclude that the complaint fails to state a claim or that the named defendant is immune from suit. Accordingly, the Court **GRANTS** Plaintiff's application to proceed in forma pauperis. (Doc. 2.) The Court **DIRECTS** the Clerk's Office to prepare and issue a summons for both named Defendants and forward the summons to Plaintiff. Plaintiff then shall serve the summons and complaint upon the Defendants.

IT IS SO ORDERED.

Signed this 7th day of August, 2006.

/s/ David RHerndon
United States District Judge