UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

CHARLES GREENE,)
Plaintiff,))
) CAUSE NO. 3:05-CV-617 AS
v.)
)
BERT SHIRK, et al.,)
)
Defendants.)

OPINION AND ORDER

Charles Greene, a *pro se* plaintiff, filed an employment discrimination complaint and a petition seeking leave to proceed *in forma pauperis*. Mr. Greene states that he is employed and has a take home pay of \$500.00 per week. While his annual income may be more or less than \$26,000, this is the annualized value of his declared take home pay. It appears that Mr. Greene states that he has two dependants. The 2005 poverty guideline for a family of three living in Indiana is \$16,090. Annual Update of the HHS Poverty Guidelines, 70 Fed. Reg. 8373-75 (Feb. 18, 2005).

For the foregoing reasons, the court:

- (1) **DENIES** the petition for leave to proceed *in forma pauperis* (docket # 2);
- (2) **GRANTS** the plaintiff to and including October 17, 2005 to pay the \$250.00 filing fee; and

Doc. 3

(3) **CAUTIONS** Charles Greene that if the filing fee is not paid by that date, this case will be dismissed for non-payment of the filing fee.

IT IS SO ORDERED.

ENTERED: September 30, 2005

S/ ALLEN SHARP
ALLEN SHARP, JUDGE
UNITED STATES DISTRICT COURT