

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ALESHEA N. DAVENPORT,

Plaintiff,

v.

Civil Case No. 14-2527-CM-TJJ

U.S. DEPARTMENT OF THE
TREASURY BUREAU OF
FISCAL SERVICES,

Defendant.

ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS

Plaintiff has filed a Motion to Proceed Without Prepayment of Fees (ECF No. 3) and has submitted an Affidavit of Financial Status (ECF No. 3-1) in support thereof. Under 28 U.S.C. § 1915(a)(1), the court may authorize commencement of any suit, action or proceeding, civil or criminal, without prepayment of fees upon submission of a financial affidavit that shows the applicant is unable to pay such fees. To succeed on a motion to proceed *in forma pauperis*, the movant must show a financial inability to pay the required filing fees.¹

Upon review of Plaintiff's financial affidavit, the Court finds that Plaintiff has shown a financial inability to pay the required filing fee. Plaintiff's request to proceed without prepayment of fees is therefore granted pursuant to 28 U.S.C. § 1915(a)(1).

The Clerk shall issue summons for Defendant. Service of the summons and Complaint shall be effected by the United States Marshal or a deputy United States Marshal who are hereby appointed for such purpose pursuant to Fed. R. Civ. P. 4(c)(3).

¹*Lister v. Dept. of the Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005).

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed Without Prepayment of Fees (ECF No. 3) is granted.

IT IS SO ORDERED.

Dated in Kansas City, Kansas on this 22nd day of October, 2014.

s/ Teresa J. James
Teresa J. James
U.S. Magistrate Judge