

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

TC HULETT, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 24-2218-EFM-ADM
	)	
OLATHE MEDICAL CENTER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

This matter comes before the court on pro se plaintiff TC Hulett Jr.’s (“Hulett”) Motion to Proceed Without Prepayment of Fees. (ECF 8.) Title 28 U.S.C. § 1915 allows courts to authorize commencing a civil action “without prepayment of fees or security therefor, by a person who submits an affidavit that . . . the person is unable to pay such fees or give security therefor.” Proceeding in forma pauperis (“IFP”) “in a civil case is a privilege, not a right—fundamental or otherwise.” *White v. Colorado*, 157 F.3d 1226, 1233 (10th Cir. 1998). The decision to grant or deny IFP status under § 1915 lies within “the sound discretion of the district court.” *Engberg v. Wyoming*, 265 F.3d 1109, 1122 (10th Cir. 2001). After carefully reviewing the information Hulett provided in the financial affidavit in support of his motion, the court waives the filing fee required for him to commence this civil action. Hulett is granted leave to proceed IFP.

When a plaintiff proceeds IFP, the court may screen the complaint under 28 U.S.C. § 1915(e)(2)(B). The court may dismiss the complaint if it determines that the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B). The court has screened Hulett’s complaint. Although the factual allegations therein are not very specific (and Hulett may have confused certain laws), the court is satisfied that they are sufficient to *plausibly*

state at least one viable claim, although this observation should not be taken as a prediction as to how the assigned U.S. District Judge might rule if presented with a motion to dismiss.

**IT IS THEREFORE ORDERED** that Hulett's Motion to Proceed Without Prepayment of Fees (ECF 8) is granted.

**IT IS FURTHER ORDERED** that the Clerk shall issue summonses for the defendants, and service of the summonses and copies of the complaint shall be effected by the United States Marshal or a Deputy United States Marshal, both of whom are appointed for such purpose pursuant to Fed. R. Civ. P. 4(c)(3).

The Clerk is directed to mail a copy of this order to Hulett via regular mail.

**IT IS SO ORDERED.**

Dated June 4, 2024, at Kansas City, Kansas.

s/ Angel D. Mitchell  
Angel D. Mitchell  
U.S. Magistrate Judge