

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

JEREMY VOS,

Plaintiff,

v.

ROBERT LANE and LANE ENTERPRISES,  
INC.,

Defendants.

Case No. 24-1160-JWB-BGS

**ORDER GRANTING MOTIONS TO PROCEED  
WITHOUT PREPAYMENT OF FEES**

This matter comes before the Court on Plaintiff Jeremy Vos's Motion to Proceed without Prepayment of Fees, which requests leave for Plaintiff to proceed *in forma pauperis* (IFP). (Doc. 3, sealed.) Plaintiff also contemporaneously filed the requisite financial affidavit. (Doc. 4, sealed.)

Under 28 U.S.C. § 1915(a), a federal court may authorize commencement of 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.” To succeed on an IFP motion, “the movant must show a financial inability to pay the required filing fees.” *Lister v. Dep't of Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005). Proceeding IFP “in a civil case is a privilege, not a right – fundamental or otherwise.” *White v. Colorado*, 157 F.3d 1226, 1233 (10<sup>th</sup> Cir. 1998). The decision to grant or deny IFP status under § 1915 lies within the district court's sound discretion. *Engberg v. Wyoming*, 265 F.3d 1109, 1122 (10th Cir. 2001).

Based on the financial information provided by Plaintiff in his affidavit of financial status (Doc. 4, sealed), the Court finds that Plaintiff has shown an inability to pay the filing fee and a belief

that he is entitled to relief. Thus, the Court grants Plaintiff's motion to proceed without prepayment of fees (Doc. 3).

Because Plaintiff's Complaint (Doc. 1) appears to state a viable federal court cause of action against at least one Defendant under the Fair Credit Reporting Act, 12 U.S.C. ch. 16 §§ 1830-1831 and 15 U.S.C. ch. 41 § 1681 *et seq.*, the Clerk is directed to issue summons for service upon Defendants Robert Lane and Lane Enterprises, Inc. at the address indicated in the caption of Plaintiff's Complaint. Service of the summons and Complaint shall be effectuated 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).

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Proceed without Prepayment of Fees (Doc. 3) is **GRANTED**. Pursuant to 28 U.S.C. § 1915(a)(1), Plaintiff may commence this action without prepayment of fees. The Clerk shall prepare and issue summons to the U.S. Marshal or Deputy Marshal, who are appointed pursuant to Fed. R. Civ. P. 4(c)(3).

**IT IS SO ORDERED.**

Dated September 25, 2024, at Wichita, Kansas.

/s/Brooks G. Severson  
Brooks G. Severson  
United States Magistrate Judge