UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENNIS GILES,

       Plaintiff,

                                  Case No. 14-10122

v.

                                  Hon. John Corbett O'Meara

SOCIAL SECURITY COMMISSIONER,

       Defendant.

_____/

**ORDER GRANTING APPLICATION TO PROCEED
IN FORMA PAUPERIS AND DISMISSING COMPLAINT**

Plaintiff Dennis Giles filed his complaint and application to proceed without prepayment of fees on January 13, 2014. The court finds Plaintiff's application to proceed *in forma pauperis* to be facially sufficient and, therefore, grants Plaintiff's motion to proceed without prepayment of fees. See 28 U.S.C. § 1915(a); Gibson v. R.G. Smith Co., 915 F.2d 260, 262 (6th Cir. 1990).

Once a court grants a plaintiff permission to proceed *in forma pauperis*, it must review the complaint pursuant to 28 U.S.C. § 1915(e). The court "shall dismiss" the case if the court finds that it is "(i) 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).

Although Plaintiff's complaint is styled as one for "judicial review of social

security decision," Plaintiff appears to be seeking social security funds that are not being paid directly to him as a result of the imposition of a guardianship. Plaintiff has attached a petition to terminate the guardianship. To the extent the court understands Plaintiff's complaint, he has not stated a federal claim or a basis for federal jurisdiction. Plaintiff's complaint contains no allegations suggesting that this court has either federal question (such as a violation of federal law) or diversity jurisdiction, which requires an amount in controversy in excess of $75,000. See 28 U.S.C. §§ 1331, 1332.

Therefore, IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED.

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s/John Corbett O'Meara
United States District Judge
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Date: January 29, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 29, 2014, using the ECF system and/or ordinary mail.

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s/William Barkholz
Case Manager
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