

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JAMES WOLFBAUER, an individual;

Plaintiff,

vs.

OCWEN LOAN SERVICING, LLC, a  
Delaware Limited Liability Company;  
and DOES 1 THROUGH 10,  
INCLUSIVE,

Defendants.

**8:18CV13**

**MEMORANDUM  
AND ORDER**

Plaintiff James Wolfbauer, a non-prisoner, filed a Motion for Leave to Proceed in Forma Pauperis. ([Filing No. 2](#).) Upon review of Plaintiff's Motion, the court finds that Plaintiff is financially eligible to proceed in forma pauperis.

The court also received a voicemail on January 12, 2018, from Plaintiff in which Plaintiff asks the court for help in getting this matter "recorded" and service to the Defendants before next Friday when Plaintiff alleges he will be evicted from his home. The court cannot provide legal advice to Plaintiff. The court has granted Plaintiff leave to proceed without prepaying fees or costs, and Plaintiff is advised that the next step in his case will be for the court to conduct an initial review of his claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The court must dismiss a complaint or any portion thereof that states a frivolous or malicious claim, that fails to state a claim upon which relief may be granted, or that seeks monetary relief from a defendant who is immune from such relief. [28 U.S.C. § 1915\(e\)\(2\)\(B\)](#). The court will conduct this initial review in its normal course of business.

Plaintiff is further advised that this matter will not proceed to service of process until after the court has completed its initial review of Plaintiff's Complaint. If the court determines that Plaintiff's claims may proceed to service of process, the court will give instructions on how that may be accomplished at that time.

Persons in need of assistance from a lawyer may contact the Nebraska State Bar Association's lawyer referral service. The service is at 635 South 14<sup>th</sup> Street, P.O. Box 81809, Lincoln, Nebraska 68501-1809. The telephone number is (402) 475-7091 ext. 132, and the fax number is (402) 475-7098.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Leave to Proceed in Forma Pauperis ([Filing No. 2](#)) is granted, and the Complaint shall be filed without payment of fees. Plaintiff is advised that the next step in his case will be for the court to conduct an initial review of his claims to determine whether summary dismissal is appropriate under [28 U.S.C. § 1915\(e\)\(2\)](#). The court will conduct this initial review in its normal course of business.

2. Plaintiff's oral request for assistance is denied. The clerk's office is directed to call Plaintiff at the phone number provided in Plaintiff's Motion ([Filing No. 2 at CM/ECF p.3](#)) and read this order to Plaintiff. The clerk's office shall also mail a copy to Plaintiff in its normal course of business.

Dated this 12th day of January, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge