

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DENNIS PELECH,
:
:
Plaintiff,
:
:
v.
:
:
COMMISSIONER OF SOCIAL
SECURITY,
:
:
Defendant.
:
:

Civil No. 10-1024 (JLL)

ORDER

Plaintiff seeks to file a Complaint without prepayment of fees pursuant to 28 U.S.C. § 1915. Based on his affidavit of poverty, the Court finds that Plaintiff qualifies for non-prisoner in forma pauperis status pursuant to 28 U.S.C. § 1915. Having thoroughly reviewed Plaintiff's allegations, the Court finds that dismissal of the Complaint is not required by 28 U.S.C. § 1915(e)(2)(B) at this stage of the proceeding,

IT IS, therefore, on this 5th day March, 2010,


ORDERED that Plaintiff's application to proceed in forma pauperis is hereby GRANTED; and it is further

ORDERED that the Clerk shall file the Complaint without prepayment of the filing fee; and it is further

ORDERED that the Complaint may proceed; and it is further

ORDERED that, pursuant to 28 U.S.C. § 1915(d), the Clerk shall issue summons and the United States Marshal shall serve summons and copies of the Complaint and this Order upon Defendant, with all costs of service advanced by the United States; and it is further

ORDERED that, pursuant to 42 U.S.C. § 1997e(g)(2), a defendant who is served shall file and serve a responsive pleading within the time specified by Fed. R. Civ. P. 12 and in accordance with L. Civ. R. 9.1.



Jose L. Linares
United States District Judge