

NOT FOR PUBLICATION**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ROBERT JAMES RYAN,

Plaintiff,

v.

UNITED STATES SOLICITER
GENERAL,

Defendant.

Civil Action No. 22-4497 (SDW) (JSA)

WHEREAS OPINION

December 15, 2022

THIS MATTER having come before this Court upon *pro se* Plaintiff Robert James Ryan's ("Plaintiff") letter request for leave to proceed *in forma pauperis* ("IFP") (D.E. 5); and

WHEREAS on August 17, 2022, this Court dismissed Plaintiff's complaint without prejudice for failure to state a claim and denied Plaintiff's accompanying request for IFP status. (D.E. 1, 1-1, 3, 4.) By order issued on that date, this Court gave Plaintiff 30 days to file an amended complaint. Plaintiff did not file an amended complaint within the time allowed; and

WHEREAS an application to proceed IFP must be accompanied by an affidavit that (1) includes a "statement of all the [applicant's] assets" and (2) states "the nature of the action" and the applicant's "belief that [he] is entitled to redress." 28 U.S.C. § 1915(a)(1); and

WHEREAS, although Plaintiff has previously filed a proper IFP application using the appropriate form (D.E. 1-1), the present renewed request for IFP status does not use that form or contain the required statement of Plaintiff's assets. (D.E. 5.) *See* 28 U.S.C. § 1915(a)(1). It is accompanied by bills, bank statements, and other financial documents, but no affidavit stating all of Plaintiff's income, expenses, and assets. (D.E. 5.) Moreover, Plaintiff's initial complaint has

already been dismissed and this renewed request was not filed in connection with a complaint or any affidavit stating the nature of the action and Plaintiff's reasons for belief that he is entitled to redress. *See* 28 U.S.C. § 1915(a)(1); therefore,

Plaintiff's renewed request for IFP (D.E. 5) is **DENIED** and, Plaintiff having failed to file an amended complaint within the time allowed (*see* D.E. 3), this action is **DISMISSED WITH PREJUDICE**. An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Jessica S. Allen, U.S.M.J.
Parties