

NOT FOR PUBLICATION**UNITED STATES DISTRICT COURT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

WADYD MONTES CALDERON,

Petitioner,

v.

JEH JOHNSON, in his official capacity as
Secretary of Homeland Security, et al.,

Respondents.

Civ. No. 16-0383

**MEMORANDUM
ORDER**THOMPSON, U.S.D.J.

This matter comes before the Court upon the application of *pro se* Petitioner Wadyd Montes Calderon to proceed *in forma pauperis* in a review of the United States Citizenship and Immigration Services' decision to deny his naturalization application. The filing fee for a civil case in the United States District of New Jersey is \$350.00, with an additional \$50.00 administrative fee. To avoid paying these fees, a litigant may submit an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. "In making such application, a plaintiff must state the facts concerning his or her poverty with some degree of particularity, definiteness or certainty." *Simon v. Mercer Cnty. Comm. College*, No. 10-5505, 2011 WL 551196, at *1 (D.N.J. Feb. 9, 2011) (citations omitted). A litigant need not be "absolutely destitute" to qualify. *Mack v. Curran*, 457 F. App'x 141, 144 (3d Cir. 2012) (citations omitted); *Still v. Shinseki*, 490 F. App'x 413, 413 (3d Cir. 2012).

It appears from the application that Petitioner has no assets and that his fixed income equals his monthly expenditures. Therefore, Petitioner has shown sufficient economic disadvantage to proceed *in forma pauperis*.

IT IS on this 27th day of January, 2016,

ORDERED that Petitioner's Application to Proceed *in forma pauperis* (ECF No. 1-1) is GRANTED; and the Clerk of Court shall file the Complaint without prepayment of fees.

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.