

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:12CV3-RLV**

MARY AMANDA ROGERS,)
Plaintiff,)
))
v.)
))
))
MICHAEL J. ASTRUE,)
Commissioner, Social Security)
Administration,)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court upon the Plaintiff's Application To Proceed Without Prepaying Fees Or Costs, filed January 17, 2012.

Plaintiff seeks to proceed on her Complaint against Defendant for Disability and Disability Insurance Benefit and Supplemental Security Income pursuant to Title II of the Social Security Act, 42 U. S. C. § 416(l) and 423, without having to prepay the costs associated with bringing this action.

In support of this Motion, Plaintiff submits an Application which reflects that she currently is not employed. In question one, of the Application the Plaintiff's reports that her average monthly income for the past twelve months was \$2,175. Also, in question one, the Plaintiff states that she expects to receive \$1,800 the month following her Application. In addition, the Application asks the Plaintiff to specify the source of income, however, no source was given. Moreover, the Application reflects that Plaintiff has a BB&T checking account with a balance of \$1,670. Further, the Plaintiff reports in her Application that she does not own any real estate. However, the Application does reflect that the Plaintiff owns a 1998 Honda Accord, but failed to list the value of the automobile. Furthermore, the Application includes a list of the Plaintiff's monthly

expenses for utilities, food, clothing, transportation and insurance which total \$2224.

In light of her representations, the Court finds that additional information is needed before indigence can be established. More specifically, in question one, of the Application, the Plaintiff expects \$1,800 in monthly income, but does not give the source of this income. In addition, the Plaintiff reports that she does not own any real estate; nor does she include any rent in her monthly expenses, making it unclear to the Court, the Plaintiff's housing situation.

Therefore, the Court will hold the Plaintiff's Application To Proceed In District Court Without Prepaying Fees Or Costs in abeyance until such time as the Plaintiff provides additional information to the Court as to the Plaintiff's source of income and her housing information to support her allegations of indigence.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the Plaintiff's Application To Proceed In District Court Without Prepaying Fees Or Costs is held in **ABEYANCE**;
2. That within thirty (30) days of the date of this Order, the Plaintiff shall submit to the Court additional information to support his allegations. Failure to comply with the instant directive will result in the summary dismissal of the Plaintiff's case.

Signed: January 19, 2012



Richard L. Voorhees
United States District Judge

