

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:13cv8-RLV**

GLENDAS. EDWARDS)
 Plaintiff,)
))
 v.))
))
MICHAEL J. ASTRUE,)
Commissioner, Social Security)
Administration,))
))
 Defendant.)
_____)

ORDER

THIS MATTER is before the Court upon the Plaintiff’s Application To Proceed In District Court Without Prepaying Fees Or Costs, (Short Form) filed January 14, 2013, in the Statesville Division.

By the instant Motion, the Plaintiff seeks to proceed on his Complaint against the Defendant to establish for himself entitlement to Social Security Disability and Disability Insurance Benefits and Supplemental Security Income as provided by 42 U.S. C. § 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g), without having to prepay the costs associated with bringing this action.

Concerning her resources, Plaintiff represents in her Application that she is currently unemployed and in the past twelve months hasn’t received any income from any source. Further, such Application further reflects that Plaintiff has \$14 in cash, or check or savings account. In addition, the Plaintiff reports that she does not own any real estate, stocks, or bonds, trust, jewelry, art work, or other financial instruments. However, the Plaintiff does represent that she owns three automobiles; a 2000 Ford

truck valued at \$11,880, a 2003 Pontiac Grand Am valued at \$3,730, and a 2000 Ford Explorer valued at \$3,530. Moreover, the Application states that these vehicles are exclusively operated by Glenda Edwards, daughter, Johnna Church. Further, the Application list the Plaintiff and her spouse's monthly expenses for housing, transportation, and utilities which total \$1,175. Finally, the Plaintiff represents in her Application that she provides housing, food, clothing, and healthcare for her grandchild.

Other than her own representations of indigence, the Plaintiff does not provide any description of means of support for herself. More specifically, there isn't any mention of any income in her Application. Yet, she has expenses and supports her grandchild.

In light of her representations, the Court does not understand how the Plaintiff is able to sustain herself, absent any evidence of support of any kind. 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 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 her allegations. The Court instructs the Plaintiff to file an Amended Application using the Long Form instead of the Short Form. Failure to comply with the instant directive will result in the summary dismissal of the Plaintiff's case.
3. The Clerk of Court is instructed to serve this Order on Plaintiff's attorney.

Signed: February 6, 2013

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

