

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLAUDIO D. & DALINDA	§	
ANDRADE,	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 3:14-CV-3969-K
	§	
COUNTRYWIDE KB HOME LOANS,	§	
MORTGAGE ELECTRONIC	§	
REGISTRATION SERVICES, INC.;	§	
G. TOMMY BASTIAN, et al.,	§	
RECONTRUST COMPANY, NA,	§	
BANK OF AMERICA, NA,	§	
COUNTRYWIDE HOME LOANS,	§	
INC., THE BANK OF NEW YORK	§	
MELLON, COLFIN AI-TX	§	
I, LLC, and DOES 1-X,	§	
Defendants.	§	

**ORDER OF THE COURT ON RECOMMENDATION REGARDING
REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL**

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and orders:

- () The motion for leave to proceed *in forma pauperis* on appeal is GRANTED.
- (X) The motion for leave to proceed *in forma pauperis* on appeal is DENIED for the following reasons:
 - (X) Plaintiffs are not paupers. A review of the financial information provided by plaintiffs shows a total monthly income of \$7,524.00 and total monthly expenses of approximately \$6,205.00. Given this financial information showing monthly income exceeding monthly expenses by \$1,319.00, the Court concludes that plaintiffs will not suffer undue financial hardship after payment of the \$505.00 filing fee. *See Prows v. Kastner*, 842 F.2d 138, 140 (5th Cir. 1988).

Although this Court has denied leave to proceed *in forma pauperis* on appeal, plaintiffs may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SO ORDERED.

Signed April 11th, 2016.



ED KINKEADE

UNITED STATES DISTRICT JUDGE