

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CLAUDIA SISK,

Plaintiff,

v.

UNIVERSITY HEALTH SYSTEM and
LISA SANCHEZ,

Defendants.

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CIVIL ACTION NO.

SA-06-CV-0939 RF (NN)

ORDER DENYING IN FORMA PAUPERIS

The matter before the Court is plaintiff’s application to proceed *in forma pauperis*. In her complaint which she submitted with her *in forma pauperis* application, plaintiff alleges she was terminated from her employment because of her race/color and age in violation of federal law.

In her application to proceed *in forma pauperis*, plaintiff states that she earns \$3500 monthly as an RN and that she is on FMLA leave at present for an unspecified period. She has additional income from a rental house. She reports having \$500 - \$800 in checking or savings accounts. She is buying two houses and three vehicles. Expenses include three car payments, two house payments, and “house expenses, light, gas, water” which she represents total \$2000 a month. She also owes \$4000 for her recent surgery. She has a 17 year old son. While plaintiff need not establish that she is totally destitute before leave to proceed *in forma pauperis* may be granted, this plaintiff has not demonstrated that she is without resources to pay the \$350 filing fee to initiate this action.

It is therefore **ORDERED** that:

1. Plaintiff’s application for leave to proceed *in forma pauperis* is **DENIED**.

2. On or before 30 days from date of this Order, plaintiff shall pay the \$350 filing fee in this cause.

3. In the event plaintiff wishes to appeal from my denial of the application for leave to proceed *in forma pauperis*, she must file an appeal to the District Court from this Order within 10 days of the date of this Order.

4. Plaintiff is advised that in the event that she fails to either pay the \$350.00 filing fee or file an appeal from this Order within the time frames set forth above, the District Court will issue an Order dismissing this cause without prejudice.

SIGNED on November 1, 2006.



NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE