

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JOHNNY RIVERA**

**Plaintiff,**

**v.**

**Case No. 14-C-414**

**CAROLYN W. COLVIN,**

**Acting Commissioner of the Social Security Administration  
Defendant.**

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**ORDER**

Plaintiff Johnny Rivera seeks judicial review of the denial of his application for social security disability benefits. Ordinarily, a plaintiff must pay a statutory filing fee to bring an action in federal court, 28 U.S.C. § 1914(a), but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a), an indigent party may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1).

Plaintiff has filed the required affidavit. Upon review of that affidavit, the court is satisfied that he satisfies the conditions of § 1915(a). Plaintiff avers that he is unemployed with no income other than public assistance; an uncle supports him. He owns no real estate, vehicles, or other valuable property. Finally, plaintiff avers that he believes he is entitled to relief in this action, and on review of the complaint the court is unable to determine that the action is frivolous or that the complaint fails to state a claim.

**THEREFORE, IT IS ORDERED** that plaintiff's petition to proceed in forma pauperis (R. 2) is **GRANTED**. The file will be returned to the Clerk of Courts for service on defendant.

Plaintiff is advised to provide defendant or her counsel with copies of all future motions or papers filed by plaintiff in this action.

Dated at Milwaukee, Wisconsin this 11<sup>th</sup> day of April, 2014.

/s Lynn Adelman

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LYNN ADELMAN  
District Judge