

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

JOHNNIE LITTLE,

Plaintiff,

v.

Case No. 14-C-1063

LEVY PREMIUM FOOD SERVICE,

doing business as Levy Restaurants

Defendant.

DECISION AND ORDER

The Court has reviewed Plaintiff Johnnie Little's ("Little") request for leave to proceed *in forma pauperis* (ECF No. 2) in the above captioned action against his former employer, Defendant Levy Premium Food Service ("Levy Food"), alleging that it discriminated against him based on his race (African-American) by subjecting him to disparate treatment and a hostile work environment as supplemented by his October 28, 2014, filing indicating that he has exhausted his administrative remedies. Based on such review, Little's request is granted. *See* 28 U.S.C. § 1915(a) & (e)(2).

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Little's petition for leave to proceed *in forma pauperis* (ECF No. 2) is
GRANTED.

The United States Marshal must **SERVE** a copy of the Complaint, the summons, and this Decision and Order upon the Defendant pursuant to Federal Rules of Civil Procedure 4. Little is advised that Congress requires the United States Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(a). The fee for waiver-of-service packages is \$8.00 per item. The full fee schedule is provided at 28 C.F.R. § 0.114(a)(2), (a)(3).

Although Congress requires the Court to order service by the United States Marshals Service because *in forma pauperis* plaintiffs are unable to pay the filing fee, it has not made any provision for these fees to be waived either by the Court or by the United States Marshals Service.

Dated at Milwaukee, Wisconsin, this 30th day of October, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge