

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

JOHN ANDERSON,

Plaintiff,

-vs-

Case No. 15-C-0725

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

DECISION AND ORDER

Plaintiff John Anderson (“Anderson”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 3) on his appeal from the denial of his applications for social security disability insurance and supplemental security income benefits. In order to authorize a litigant to proceed IFP, the Court must make two determinations: first, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By his petition and affidavit to proceed IFP, Anderson avers that he is

single and has a monthly income of \$1,441¹ comprised of \$16 in public assistance and \$1,425 in social security benefits. He does not own any valuable tangible property, and he has \$1 in cash or in a checking or savings account. (Pet. 3.) His monthly expenses total \$1,342. While Anderson's budget indicates that his monthly income exceeds his monthly expenses by \$101, his budget is bare bones — and he has no assets.

Based on the information provided, Anderson has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that he is unable to pay the \$350 filing fee for this action. Furthermore, Anderson's Complaint states an arguable claim for relief. Accordingly, Anderson's petition for leave to proceed IFP is granted.

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

Anderson's motion for leave to proceed IFP (ECF No. 3) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 23rd day of June, 2015.

BY THE COURT:


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

¹ Anderson states his total monthly income is \$1,431. The Court has corrected the error.