

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

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**JOSEPH KRELL**

**Plaintiff,**

**v.**

**Case No. 16-C-0951**

**CAROLYN W. COLVIN,**

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

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**ORDER**

Plaintiff Joseph Krell seeks judicial review of an unfavorable decision from the Commissioner of the Social Security Administration. Pursuant to 28 U.S.C. § 1914(a), a plaintiff must pay a filing fee to bring an action in federal court, but plaintiff requests leave to proceed in forma pauperis. Under 28 U.S.C. § 1915(a)(1), 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.”

On review of the affidavit, I am satisfied that plaintiff meets the requirements of § 1915(a)(1). Plaintiff avers that he is unemployed and unmarried, with income limited to SSDI and a pension. He owns no real estate or other valuable assets, aside from two old cars. He further avers that he has significant outstanding loans. Finally, plaintiff avers that he is entitled to the relief sought in the complaint, and on review of the complaint I am unable to determine that the action is frivolous or that the complaint fails to state a claim.

**THEREFORE, IT IS ORDERED** that plaintiff's motion for leave to proceed without prepayment of the filing fee (R. 3) 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 29<sup>th</sup> day of July, 2016.

/s Lynn Adelman  
LYNN ADELMAN  
District Judge