UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

THOMAS HAUKE,

      Plaintiff,

      v.   **Case No. 20-CV-1086-SCD**

ANDREW M. SAUL,
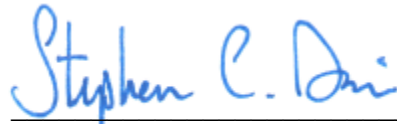**Commissioner of Social Security,**

      Defendant.

ORDER DENYING PLAINTIFF'S REQUEST TO PROCEED
IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE

Thomas Hauke filed this action on July 16, 2020, seeking judicial review under the Social Security Act, 42 U.S.C. § 405(g), of the final decision of the Commissioner of Social Security denying his applications for Social Security benefits. ECF No. 1. Hauke has requested a waiver of this District's filing fee. *See* ECF No. 2. Any court of the United States may authorize a litigant to proceed in an action "without prepayment of fees or security thereof" if two conditions are met: (1) the litigant is unable to pay the costs of commencing the action, 28 U.S.C. § 1915(a)(1); and (2) the action is not frivolous nor malicious, does not fail to state a claim on which relief may be granted, and does not seek monetary relief against a defendant who is immune from such relief, 28 U.S.C. § 1915(e)(2)(B).

According to his request to waive the filing, Hauk is not currently employed, but his wife is, earning $3,640 per month. ECF No. 2 at 2. The couple own their own home, which is valued at $325,000; their equity in the home is $100,600. *Id.* at 3. They also own two vehicles: a 2012 Hyundai Santa Fe (valued at $4,500) and a 2015 Toyota Highlander

($25,000). *Id.* As for other assets, they have $2,100 in bank accounts and a Roth IRA valued at $1,747.47. *Id.* at 3–4. Hauk asserts that the couple's total monthly expenses are $5,411.79. *Id.* at 2–3. Based on the above information, I conclude that Hauk is able to pay the fees and costs of commencing this action. Accordingly, his request, ECF No. 2, is **DENIED**. Hauk must pay the full filing fee by **August 20, 2020**. Failure to pay the filing fee by that deadline may result in dismissal of this action.

 SO ORDERED this 30th day of July, 2020.

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            STEPHEN C. DRIES
            United States Magistrate Judge