

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHRISTIAN LEE ODOM,

Plaintiff,

ORDER

v.

13-cv-140-wmc

GEICO INSURANCE COMPANY and
ENTERPRISE RENT-A-CAR COMPANY,

Defendants.

Plaintiff Christian Odom has filed a proposed civil complaint. Plaintiff asks for leave to proceed *in forma pauperis* and has supported his request with an affidavit of indigency. The standard for determining whether plaintiff qualifies for indigent status is the following:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

From plaintiff's affidavit of indigency, I find that he has a monthly income of \$3,224 or an annual income of \$38,688. Subtracting \$14,800 for his four dependents, his wife and three children, his adjusted annual income is \$23,888. Because plaintiff's income falls in the \$16,000 to \$32,000 range, he must prepay half of the \$350 fee for filing this case. Once payment has been received, the court will review the merits of plaintiff's complaint to determine whether one or more claims must be dismissed as frivolous or malicious, for failure to state a claim on which

relief may be granted or because plaintiff is seeking money damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that Christian Odom's petition for leave to proceed *in forma pauperis* is GRANTED on the condition that he pay half the filing fee, \$175. Plaintiff must pay the filing fee no later than March 22, 2013. If, by March 22, 2013, plaintiff fails to submit this prepayment, the clerk of court is directed to enter judgment dismissing this case without prejudice for plaintiff's failure to prosecute it.

Entered this 27th day of February, 2013.

BY THE COURT:

s/ Peter Oppeneer
PETER OPPENEER
Magistrate Judge