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

EVELYN A. SANTANA, *f/k/a* EVELYN
A. HATCH, D.P.C.S., N.R.C.S. and J.A.C.S.,

                           Plaintiffs,   OPINION & ORDER

   v.

                                               15-cv-089-wmc

BILLY R. HATCH,

                           Defendant.

Plaintiffs Evelyn A. Santana and her three minor children bring this civil action seeking enforcement of a sponsor's affidavit of support under 8 U.S.C. § 1183a. They allege that defendant Billy R. Hatch signed a Form I-864 in relation to each of the four plaintiffs, after which they became lawful permanent residents.[1] They also allege that since the execution of the Forms I-864, their household income has fallen below 125% of the Federal poverty line and that Hatch has failed to supplement that income as required by 8 U.S.C. § 1183a(1)(A). They seek an order requiring Hatch to pay the past, present and future financial support required by the terms of the Form I-864, as well as any other relief the court deems necessary.

Because plaintiffs are proceeding *in forma pauperis*, the court briefly screens the complaint to ensure that it: (1) is not frivolous or malicious; (2) states a claim on which relief can be granted; and (3) does not seek monetary relief from a defendant immune from such relief. *See* 28 U.S.C. § 1915(e)(2). Plaintiffs' complaint in this action easily satisfies the low threshold of screening and pleads a plausible claim for enforcement of the Form I-

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[1] The complaint attaches as exhibits each of the four Forms I-864. (*See* Compl. Ex. 1-4 (dkt. #1-3, 1-4, 1-5, 1-6).)

864. Accordingly, plaintiffs will be granted leave to proceed, and the court will order service of process on defendant.
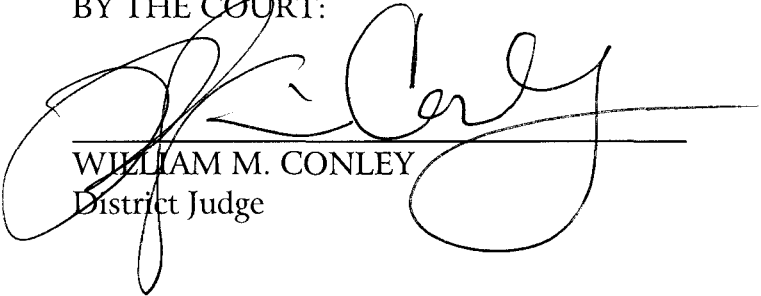

ORDER

IT IS ORDERED that:

1) Plaintiffs Evelyn A. Santana, D.P.C.S., N.R.C.S. and J.A.C.S.'s request for leave to proceed on claims against defendant Billy R. Hatch is GRANTED.

2) The summons and complaint are to be delivered to the U.S. Marshal for service on defendant.

Entered this 15 day of April, 2015.

BY THE COURT:

WILLIAM M. CONLEY
District Judge