

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

RONALD L. ZIEGLER,

Plaintiff,

v.

OPINION AND ORDER

08-cv-006-bbc

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

This is an appeal of an adverse decision of the Commissioner of Social Security brought pursuant to 42 U.S.C. § 405(g). Plaintiff Ronald Ziegler has requested leave to proceed *in forma pauperis* on appeal and has supported his request with an affidavit of indigency.

To determine whether a plaintiff qualifies for indigent status, the court uses the following calculation: From plaintiff's annual gross income, the court subtracts \$3400 for each dependent, excluding the plaintiff. If the balance is less than \$15,000, the plaintiff may proceed without any prepayment of fees and costs; if the balance is greater than \$15,000 but less than \$28,000, the plaintiff must prepay half the fees and costs; and if the balance is greater than \$28,000, the plaintiff must prepay all fees and costs. Substantial assets or debts require individual consideration.

Plaintiff is married and has no dependents. Plaintiff earns \$2,692.50 per month, or \$32,310 annually, and his wife earns \$3,053.50 per month, or \$36,642 annually. Applying the

formula above, plaintiff does not qualify for indigent status. Accordingly, if he wishes to proceed with this action, plaintiff will have to prepay the full filing fee and costs.

ORDER

IT IS ORDERED that Ronald Ziegler's petition for leave to proceed *in forma pauperis* is DENIED.

Entered this 14th day of November, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge