

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

CYNTHIA A. HAGEMAN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

11-cv-377-wmc

In an order entered on May 31, 2011, I told plaintiff that before the court could consider her request to proceed *in forma pauperis*, she would need to submit by June 21, 2011 information to the court identifying the final decision of the commissioner that she is challenging. On June 30, 2011, I allowed her one more opportunity to submit this information by July 14, 2011.

On July 13, 2011, plaintiff submitted a copy of the Notice of Appeals Council Action, dated December 2, 2010. Because her complaint was filed in this court on May 27, 2011, which is significantly more than 60 days after December 2, 2010, plaintiff's complaint would appear to be untimely; however, plaintiff has submitted a letter from her previous attorney in which counsel advised plaintiff that her office did not receive the notice of the Appeals Council Decision until March 28, 2011, so that plaintiff had until May 28, 2011 to file her action in this court. According to this information, plaintiff's complaint filed in this court on May 27, 2011, is timely.

ORDER

IT IS ORDERED that plaintiff Cynthia A. Hageman's request to proceed *in forma pauperis* is GRANTED and the United States Marshal shall serve the summons and complaint on defendant Michael Astrue.

The clerk of court is directed to forward the complaint, summons and marshal service forms to the United States Marshal.

Entered this 16th day of August, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge