

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

FRANCES RIDER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

12-cv-352-wmc

Plaintiff Frances Rider has filed a civil suit pursuant to 42 U.S.C. § 405(g) for review of a final decision of the Commissioner of Social Security denying plaintiff's application for social security disability benefits. Plaintiff seeks to commence this lawsuit without prepayment of the filing fees and costs or providing security therefor, pursuant to 28 U.S.C. § 1915.

To determine whether a plaintiff qualifies for indigent status, the court uses the following calculation: From plaintiff's annual gross income, the court subtracts \$3700 for each dependent, excluding the plaintiff. If the balance is more than \$32,000, the plaintiff must prepay all fees and costs. Substantial assets or debts require individual consideration.

According to plaintiff's affidavit, she is married. She and her spouse have a combined annual gross income of \$39,366.12. They have no dependents. Although they have a substantial number of monthly obligations, none is out of the ordinary. Accordingly, because plaintiff's annual income is more than \$32,000, her application for leave to proceed without paying the filing fee must be denied.

ORDER

IT IS ORDERED that plaintiff Frances Rider's request for leave to proceed *in forma pauperis* in this action is DENIED because plaintiff does not qualify for indigent status. Plaintiff may have until June 25, 2012, in which to pay the \$350 fee for filing her lawsuit. If, by June 25, 2012, plaintiff fails to pay the fee, the clerk of court is directed to enter judgment dismissing this case without prejudice for plaintiff's failure to prosecute it. If plaintiff does pay the filing fee, then the clerk of court shall issue summonses and forward them to plaintiff's counsel for service.

Entered this 25th day of May, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge