

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

SCOTT J. RETZLOFF,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER

14-cv-765-jdp

On December 4, 2015, the court entered judgment affirming the Commissioner's decision to deny plaintiff Scott Retzloff's application for social security disability benefits and supplemental security income. Plaintiff has filed a notice of appeal and a motion for leave to proceed *in forma pauperis* on appeal. When determining whether plaintiff may appeal *in forma pauperis* under 28 U.S.C. § 1915, I must consider whether he is indigent and whether his appeal is taken in good faith. Fed. R. App. P. 24(a).

When determining whether plaintiff has the means to pay the \$505 appeal filing fee, the court's practice is to make the following calculation: subtract \$4,200 for each dependent from a plaintiff's annual gross income, and if the balance is less than \$36,000, the plaintiff may proceed without any prepayment of fees and costs. From plaintiff's affidavit of indigency, I find that plaintiff has no current source of income or other substantial assets that require consideration. Accordingly, I find plaintiff eligible to proceed *in forma pauperis* on appeal. Moreover, I see no reason to certify that the appeal is not taken in good faith.

ORDER

IT IS ORDERED that plaintiff Scott Retzloff's motion for leave to proceed *in forma pauperis* on appeal, Dkt. 22, is GRANTED.

Entered January 4, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge