

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

VAUGHN L. SNIDER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 13-1330-RDR-KGG
)	
TAFT YATES,)	
)	
Defendant.)	
_____)	

**ORDER ON MOTION TO PROCEED
WITHOUT PREPAYMENT OF FEES**

In conjunction with his federal court Complaint alleging discrimination, Plaintiff Vaughn Snider has filed a Motion to Proceed Without Prepayment of Fees (*IFP* Application, Doc. 3, sealed), with an accompanying Affidavit of Financial Status (Doc. 3-1, sealed). Having reviewed Plaintiff’s motion, as well as his Complaint (Doc. 1), the Court **GRANTS** this motion.

DISCUSSION

Under 28 U.S.C. § 1915(a), a federal court may authorize commencement of an action without prepayment of fees, costs, etc., by a person who lacks financial means. 28 U.S.C. § 1915(a). In so doing, the court considers the affidavit of financial status included with the application. *See id.*

There is a liberal policy toward permitting proceedings *in forma pauperis*

when necessary to ensure that the courts are available to all citizens, not just those who can afford to pay. *See generally, Yellen v. Cooper*, 828 F.2d 1471 (10th Cir. 1987). In construing the application and affidavit, courts generally seek to compare an applicant's monthly expenses to monthly income. *See Patillo v. N. Am. Van Lines, Inc.*, No. 02-2162, 2002 WL 1162684, at *1 (D.Kan. Apr. 15, 2002); *Webb v. Cessna Aircraft*, No. 00-2229, 2000 WL 1025575, at *1 (D.Kan. July 17, 2000) (denying motion because "Plaintiff is employed, with monthly income exceeding her monthly expenses by approximately \$600.00").

In his supporting financial affidavit, Plaintiff indicates he is 59 years old and single with no dependents. (Doc. 3-1, at 1-2.) He is currently employed making a taking home a small monthly wage. (*Id.*, at 2.) He does, however, also list a significant monthly Social Security benefit. (*Id.*, at 4.)

Plaintiff does not own any real property, but owns a modest vehicle outright. (*Id.*, at 3-4.) He lists typical monthly expenses, including rent, groceries, gas, insurance, etc., which exceed his monthly income. (*Id.*, at 5.) Plaintiff does not provide an explanation for how he addresses this monetary shortfall. While he indicates a fair amount of cash on hand, it would only cover the shortfall in his expenses for a few months. (*Id.*, at 4.) He has never filed for bankruptcy. (*Id.*, at 6.)

Considering all of the information contained in the financial affidavit, the Court finds that Plaintiff has adequately established that he is entitled to file this action without payment of fees and costs. Therefore, the Court **GRANTS** Plaintiff leave to proceed *in forma pauperis* and directs that this case be filed without payment of a filing fee.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed Without Prepayment of Fees (Doc. 3, sealed) is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk's office shall proceed to issue summons in this case.

IT IS SO ORDERED.

Dated at Wichita, Kansas, on this 13th day of September, 2013.

S/ KENNETH G. GALE
KENNETH G. GALE
United States Magistrate Judge