

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

ALESHEA N. DAVENPORT,

Plaintiff,

v.

Civil Case No. 14-2527-CM-TJJ

U.S. DEPARTMENT OF THE  
TREASURY BUREAU OF  
FISCAL SERVICES,

Defendant.

**ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS**

Plaintiff has filed a Motion to Proceed Without Prepayment of Fees (ECF No. 3) and has submitted an Affidavit of Financial Status (ECF No. 3-1) in support thereof. Under 28 U.S.C. § 1915(a)(1), the court may authorize commencement of any suit, action or proceeding, civil or criminal, without prepayment of fees upon submission of a financial affidavit that shows the applicant is unable to pay such fees. To succeed on a motion to proceed *in forma pauperis*, the movant must show a financial inability to pay the required filing fees.<sup>1</sup>

Upon review of Plaintiff's financial affidavit, the Court finds that Plaintiff has shown a financial inability to pay the required filing fee. Plaintiff's request to proceed without prepayment of fees is therefore granted pursuant to 28 U.S.C. § 1915(a)(1).

The Clerk shall issue summons for Defendant. Service of the summons and Complaint shall be effected by the United States Marshal or a deputy United States Marshal who are hereby appointed for such purpose pursuant to Fed. R. Civ. P. 4(c)(3).

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<sup>1</sup>*Lister v. Dept. of the Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005).

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Proceed Without Prepayment of Fees (ECF No. 3) is granted.

**IT IS SO ORDERED.**

Dated in Kansas City, Kansas on this 22nd day of October, 2014.

s/ Teresa J. James  
Teresa J. James  
U.S. Magistrate Judge