

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

LESLIE LYLE CAMICK,)	
)	
Plaintiff,)	
)	
v.)	Case No. 17-1286-EFM-GEB
)	
E.A. WATTLEY,)	
)	
Defendant.)	
_____)	

ORDER

This matter is before the Court on Plaintiff’s Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 2) and the Affidavit of Financial Status filed as a supplement in support of his Motion (ECF No. 7). For the reasons outlined below, Plaintiff’s Motion **(ECF No. 2) is GRANTED.**

Under 28 U.S.C. § 1915(a), the Court has the discretion¹ to authorize the filing of a civil case “without prepayment of fees or security thereof, by a person who submits an affidavit that . . . the person is unable to pay such fees or give security thereof.” “Proceeding *in forma pauperis* in a civil case ‘is a privilege, not a right—fundamental or otherwise.’”² After careful review of Plaintiff’s attached affidavit of financial resources (ECF No. 2, sealed) and his supplemented Affidavit of Financial Status (ECF No. 7,

¹ *Barnett ex rel. Barnett v. Nw. Sch.*, No. 00-2499, 2000 WL 1909625, at *1 (D. Kan. Dec. 26, 2000) (citing *Cabrera v. Horgas*, 173 F.3d 863, at *1 (10th Cir. April 23, 1999)).

² *Id.* (quoting *White v. Colorado*, 157 F.3d 1226, 1233 (10th Cir. 1998)).

sealed), and the comparison of his monthly income to his monthly expenses, the Court finds he is financially unable to pay the filing fee.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Proceed *In Forma Pauperis* (ECF No. 2) is **GRANTED**. Because Plaintiff proceeds *in forma pauperis*, the clerk of the court shall take the appropriate steps to serve Defendant with the summons and Complaint as provided under 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(c)(3).

IT IS SO ORDERED.

Dated at Wichita, Kansas this 24th day of January, 2018.

s/ Gwynne E. Birzer _____
GWYNNE E. BIRZER
United States Magistrate Judge