

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

RONALD DAVID HOLLINGSWORTH, JR.,

Plaintiff,

v.

**COMMISSIONER OF SOCIAL SECURITY
ADMINISTRATION, NANCY A.
BERRYHILL,**

Defendant.

Case No. 18-2219

MEMORANDUM & ORDER

This matter comes before the court upon plaintiff Ronald David Hollingsworth Jr.'s Motion to Proceed In Forma Pauperis and Affidavit of Financial Status (Doc. 3). Plaintiff filed this case on May 3, 2018, seeking review of the denial of his claims for social security disability insurance and supplemental security income benefits.

Pursuant to 28 U.S.C. § 1915(a), a court may grant authorization for the commencement of an action without prepayment of fees by a person submitting a supporting affidavit demonstrating that the person is otherwise unable to pay the required fees. The court has wide discretion to grant or deny permission for a movant seeking to proceed in forma pauperis; however the court cannot act arbitrarily or deny an application on erroneous grounds. *United States v. Garcia*, 164 F. App'x, 785, 786 n.1 (10th Cir. 2006). "[T]he movant must show a financial inability to pay the required filing fees." *Id.* (quoting *Lister v. Dep't of the Treasury*, 408 F.3d 1309, 1312 (10th Cir. 2005)) (quotation marks omitted).

After reviewing plaintiff's affidavit, the court finds that plaintiff has sufficiently shown that he is unable to pay the required filing fees. Plaintiff states that his current income is \$192 in public

assistance from the Supplemental Nutrition Assistance Program. He has not been employed since 1992 and has no real property or vehicles.

IT IS THEREFORE ORDERED that plaintiff's Motion to Proceed in Forma Pauperis (Doc. 3) is granted. The clerk shall prepare a summons pursuant to Fed. R. Civ. P. 4 on plaintiff's behalf. The clerk shall issue the summons to the United States Marshal or Deputy Marshal.

Dated May 9, 2018, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge