

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

ERIKA CORDOVA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 21-1031-JWB-GEB
)	
TEXTRON AVIATION, INC.,)	
)	
Defendants.)	
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ORDER

Plaintiff Erika Cordova filed her Complaint, acting pro se, on January 29, 2021. The Court has reviewed the docket, including the Complaint (ECF No. 1), Plaintiff's Motion for Leave to Proceed Without Payment of Fees and attached affidavit of financial resources (ECF No. 3, *sealed*) and her Motion for Appointment of Counsel (ECF No. 4), and concludes that additional information is necessary before ruling on those motions.

Upon review of Plaintiff's Motion for Leave to Proceed Without Payment of Fees and attached affidavit of financial resources (ECF No. 3), the Court orders Plaintiff to supplement her filings by addressing the following:

In Plaintiff's Affidavit of Financial Status (ECF No. 3-1, *sealed*), she notes both she and her husband are currently employed, and included her husband's monthly and weekly income. However, she did not complete the portion requesting her own net (take home) income, either monthly or weekly. (ECF No. 3-1, *sealed*, p. 2, Section II.A.) In order to determine whether Plaintiff is able to pay the filing fee, the Court takes into

consideration her total household income as compared to her monthly expenses.¹ As currently provided, Plaintiff's financial affidavit does not provide enough information by which the Court could surmise Plaintiff's total potential household income.

IT IS THEREFORE ORDERED that **Plaintiff is to amend her financial affidavit to include her monthly income**, and must file the above-ordered amendment as soon as possible, but no later than **May 5, 2021**. Plaintiff may utilize the same form used to file her original motion to file an *amended* version of her Motion to Proceed Without Prepayment of Fees and Financial Affidavit. Forms for Plaintiffs' use are available at: <http://www.ksd.uscourts.gov/forms>.

Any financial information shall be filed under seal, with only the Court and Plaintiff having access to such information. Without such information, the Court is unable to determine Plaintiff's ability to proceed in this matter without payment of the filing fee.

Failure to comply with this Order may result in negative consequences to Plaintiffs' case, up to and including denial of her request to proceed without fees and/or for appointment of counsel, and a potential recommendation of dismissal.

IT IS SO ORDERED.

Dated this 16th day of April, 2021, at Wichita, Kansas.

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

¹ See *Alexander v. Wichita Hous. Auth.*, No. 07-1149-JTM, 2007 WL 2316902, at *1 (D. Kan. Aug. 9, 2007) (citing *Patillo v. N. Am. Van Lines, Inc.*, No. 02-2162-JWL-DJW, 2000 WL 1162684, at *1).