

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

**JULIE M. HILL,**

**Plaintiff,**

**vs.**

**ANDREW M. SAUL,  
Commissioner of Social Security,**

**Defendant.**

**Case No. 21-1148-DDC**

**MEMORANDUM AND ORDER**

On June 8, 2021, plaintiff filed a Complaint against the Commissioner of the Social Security Administration. Doc. 1. The Complaint seeks judicial review under 42 U.S.C. § 405(g) of a decision of the Commissioner of the Social Security Administration denying benefits. *Id.* at 1. Plaintiff also filed a Motion to Proceed In Forma Pauperis, Doc. 4, which included a declaration of financial status, *see* Doc. 4-1.

Under 28 U.S.C. § 1915(a)(1), the court may authorize a person to commence an action without prepayment of fees after submitting an “affidavit” demonstrating an inability to pay. *Id.*; *see also id.* at § 1746 (permitting use of a declaration in lieu of an affidavit when declarant declares information is true and correct under penalty of perjury). The court has broad discretion to grant or deny permission to proceed *in forma pauperis*. *United States v. Garcia*, 164 F. App’x 785, 786 n.1 (10th Cir. 2006). But the court cannot act arbitrarily or deny an application on erroneous grounds. *Id.* “[T]o succeed on a motion to proceed [*in forma pauperis*], the 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)).

After reviewing plaintiff's financial declaration, the court finds that plaintiff has made a sufficient showing that she is unable to pay the required filing fees. The court thus grants plaintiff's request for leave to file this action without payment of fees, costs, or security under 28 U.S.C. § 1915(a)(1).

**IT IS THEREFORE ORDERED BY THE COURT THAT** plaintiff's Motion to Proceed In Forma Pauperis (Doc. 4) is granted. The Clerk shall prepare a summons under Federal Rule of Civil Procedure 4 on plaintiff's behalf. The Clerk shall issue the summons to the United States Marshal or Deputy Marshal, who the court appoints under Federal Rule of Civil Procedure 4(c)(3), to effect service.

**IT IS SO ORDERED.**

**Dated this 16th day of June, 2021, at Kansas City, Kansas.**

**s/ Daniel D. Crabtree**  
**Daniel D. Crabtree**  
**United States District Judge**