

FRANCIS YOMI,)
)
Plaintiff,)
)
v.) Case No. 21-2224-DDC
)
XAVIER BECERRA, in his capacity as)
Secretary of Health and Human Services, et al.,)
)
Defendants.)

Plaintiff, proceeding pro se, brings this employment-discrimination action against Xavier Becerra, in his capacity as Secretary of Health and Human Services, and the United States Food and Drug Administration.¹ In an order entered May 17, 2021, the undersigned U.S. Magistrate Judge, James P. O'Hara, denied plaintiff's motion to proceed *in forma pauperis*² without prejudice to re-filing because plaintiff's status could not be ascertained from the affidavit attached to his motion (ECF No. 5). In the same order, the undersigned denied plaintiff's motion for appointment of counsel.³

¹ ECF No. 1.

² ECF No. 3.

³ ECF No. 4.

Crabtree, issued a memorandum and order denying plaintiff's motion for review, but directing the Clerk of the Court to docket certain filings in support of the motion for review as a renewed motion for leave to proceed *in forma pauperis* and exhibits thereto (ECF No. 13).⁴ These filings have been docketed consistent with Judge Crabtree's directive, and thus, currently pending before the undersigned is plaintiff's renewed motion to proceed *in forma pauperis* (ECF No. 14).

The undersigned has reviewed the renewed motion to proceed *in forma pauperis* (ECF No. 14) and exhibits thereto and, based on the information contained therein, concludes plaintiff has demonstrated a financial inability to pay the required fees. Plaintiff's application for leave to file and continue this action without payment of fees or costs (ECF No. 14) is hereby granted.⁵ If not previously provided, plaintiff is directed to provide the addresses of all named defendants by no later than **September 3, 2021**, so that the Clerk of the Court may proceed with service of process. The Clerk shall issue summons to the U.S. Marshal or Deputy Marshal, who are appointed pursuant to Fed. R. Civ. P. 4(c)(3).

A copy of this order shall be mailed to plaintiff by certified and regular mail.

⁴ Specifically, Judge Crabtree directed the Clerk of the Court to docket ECF No. 10-1 as a renewed motion for leave to proceed *in forma pauperis*, and ECF Nos. 10-2, 10-3, and 12 as exhibits to that motion. ECF No. 13 at 4.

⁵ To be clear, by this order the undersigned does not revisit plaintiff's prior request for appointment of counsel, which was addressed in Judge Crabtree's August 6, 2021 memorandum and order (ECF No. 13), and is now the subject of plaintiff's subsequently-filed and currently-pending motion titled "Motion for Review of U.S. District Judge Daniel D. Crabtree's order of August 6, 2021" (ECF No. 15).

IT IS SO ORDERED.

Dated August 11, 2021, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge