

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JOSEPH A.,

Plaintiff,

v.

KILOLO KIJAKAZI,

Acting Commissioner of Social Security,

Defendant.

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C.A. No. 22-293PAS

ORDER

As currently presented, Plaintiff Joseph A.'s in forma pauperis ("IFP") application causes the Court to be unable to determine if Plaintiff is eligible to proceed IFP. In the application, he states that he does not have any monthly income or expenses and that all of the monthly expenses, debts and financial obligations are his wife's. His only assets are his high school class ring and his wedding ring. He further states that his "wife pays everything with family support." Plaintiff does not provide information about his wife's income, detail the monthly expenses paid for by his wife or list any assets that his wife owns. See Christian v. Warwick Realty, LLC, No. CA 14-152 S, 2014 WL 2434626, at *2 (D.R.I. May 29, 2014) (citing cases) ("In making the determination whether a litigant is unable to pay [the initial filing fee], this Court must take into account not only the applicant's personal income but also his other financial resources, including income and assets available from a spouse or family members who are part of the close family."). Accordingly, on or before August 31, 2022, Plaintiff is directed to supplement his financial affidavit with additional information about his household (his wife's) income and expenses as well as the fair market value of any assets owned by either Plaintiff or his wife (or both), provided that the asset is used by Plaintiff (such as real estate or a car), as well as the amount of any monthly loan payments and net owing on the loan (if any). Plaintiff should also

provide details regarding his household's monthly expenses for housing, transportation, utilities and loan payments, and any other information pertinent to his claim of financial desperation.

The Court will rule on the motion once the supplemental financial affidavit is received. If a supplement is not received, the Court may recommend that the motion be denied. Alternatively, Plaintiff need not file anything further in connection with the IFP application if he pays the \$402 filing fee by August 31, 2022.

/s/ Patricia A. Sullivan
PATRICIA A. SULLIVAN
United States Magistrate Judge
August 10, 2022