

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ALYCIA MCGOWAN, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:06CV01573 ERW  
 )  
 JO ANNE B. BARNHART, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

**ORDER AND MEMORANDUM**

This matter is before the Court upon the application of Alycia McGowan for leave to commence this action without payment of the required filing fee. See 28 U.S.C. § 1915(a). Plaintiff has submitted a partially completed financial affidavit CJA Form 23 [Doc. #3] in support of her application for in forma pauperis status. See Local Rule 2.05(A). In the financial affidavit, plaintiff failed to state whether or not she has any cash on hand or in any bank account. Additionally, plaintiff failed to state whether or not she has any property of value. As a result, the Court is unable to determine, at this time, whether plaintiff is financially unable to pay the filing fee. See 28 U.S.C. § 1915(a), Local Rule 2.05(A).

Accordingly,

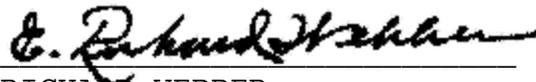
**IT IS HEREBY ORDERED** that, in addition to a copy of this Order, the Clerk of Court shall provide plaintiff with CJA Form 23 (financial affidavit).

**IT IS FURTHER ORDERED** that plaintiff shall have twenty (20) days from the date of this Order to pay the statutory filing fee of \$350.00, or to submit a fully completed CJA Form 23 (financial affidavit).

**IT IS FURTHER ORDERED** that the Court will dismiss this case, without prejudice, if within twenty (20) days, plaintiff fails to pay the filing fee or to submit a fully completed CJA Form 23.

**IT IS FURTHER ORDERED** that if plaintiff complies with this Order, the Clerk of Court shall cause this case to be resubmitted to the undersigned for review under 28 U.S.C. § 1915(a), (d).<sup>1</sup>

So Ordered this 1st Day of November, 2006.



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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The Court notes that if plaintiff pays the filing fee, she will be responsible for serving the summons and the complaint upon the defendant. See Fed. R. Civ. P. 4(d). Service must be made within 120 days of the filing of the complaint (in the instant case, within 120 days of the payment of the filing fee). See Fed. R. Civ. P. 4(m).