UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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JULIUS C. BAILEY,

Plaintiff,

-against-

ORDER
16-CV-6946(JS)(GRB)

PF CHANG's CHINA BISTRO, INC.,

Defendant.
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APPEARANCES:
For Plaintiff: Julius C. Bailey, pro se
120 Columbia Street
Huntington Station, NY 11746

For Defendant: No appearance.

SEYBERT, District Judge:

On December 9, 2016, pro se plaintiff Julius C. Bailey ("Plaintiff") filed a Complaint pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), as codified, 42 U.S.C. §§ 2000e to 2000e-17, against PF Chang's China Bistro, Inc. ("Defendant") alleging discrimination in employment and retaliation. Plaintiff's Complaint is accompanied by an application to proceed in forma pauperis.

Upon review of Plaintiff's declaration in support of his application to proceed in forma pauperis, the Court finds that Plaintiff's financial status qualifies him to commence this action without prepayment of the filing fees. See 28 U.S.C. § 1915(a)(1). Accordingly, Plaintiff's application to proceed in forma pauperis is GRANTED and the Court ORDERS service of the Complaint by the United States Marshal Service ("USMS") without prepayment of the

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filing fee. The Clerk of the Court shall forward the Summons, the Complaint, and this Order to the USMS and the USMS shall serve Defendant.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is further directed to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: February 7, 2017
Central Islip, New York