

E.D.N.Y.- Bklyn
24-cv-447
Merle, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of August, two thousand twenty-four.

Present:

Michael H. Park,
Steven J. Menashi,
Maria Araújo Kahn,
Circuit Judges.

Walter Louis Allen,

Plaintiff-Appellant,

v.

24-861

Civil Rights Coordinator, et al.,

Defendants-Appellees.

Appellant, pro se, moves for leave to proceed in forma pauperis and for “financial relief.” Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because it “lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

WALTER LOUIS ALLEN,

Plaintiff,

– against –

CIVIL RIGHTS COORDINATOR; OFFICE OF
THE GENERAL COUNSEL REGION #2;
CHURCH ST. STATION SOCIAL SECURITY
ADMINISTRATION,

Defendants.

ORDER

24-CV-00447 (NCM) (SJB)

NATASHA C. MERLE, United States District Judge:

Pro se plaintiff Walter Louis Allen filed this action pursuant to the Court's federal question jurisdiction. By Order dated February 1, 2024 (the "IFP Order"), the Court denied plaintiff's request to proceed *in forma pauperis* ("IFP") and granted him fourteen (14) days to either (i) submit a long-form IFP application demonstrating that he cannot pay the filing fee while still being able to provide himself and any dependents with the necessities of life, or (ii) pay the \$405.00 filing fee to the Clerk of Court. The Court informed plaintiff that if he failed to comply with the IFP Order, the action would be dismissed without prejudice and without further notice. The Court directed the Clerk of Court to mail a copy of the IFP Order to plaintiff at his address of record, together with the IFP long-form application.

Because plaintiff has not, to date, submitted a long-form IFP application or paid the \$405.00 filing fee, the Court dismisses the action without prejudice. The Court finds that any appeal would not be taken in good faith and therefore *in forma pauperis* status

is denied for the purpose of an appeal. 28 U.S.C. § 1915(a)(3); *see Coppedge v. United States*, 369 U.S. 438, 445 (1962).

The Clerk of Court is respectfully directed to enter judgment and close the case. The Court also directs the Clerk of Court to mail a copy of this Order to plaintiff at his address of record and note the mailing on the docket.

SO ORDERED.

/s/ Natasha C. Merle
NATASHA C. MERLE
United States District Judge

Dated: March 15, 2024
Brooklyn, New York

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

WALTER LOUIS ALLEN,

Plaintiff,
v.

JUDGMENT
24-CV-00447 (NCM) (SJB)

CIVIL RIGHTS COORDINATOR; OFFICE OF THE
GENERAL COUNSEL REGION #2; CHURCH ST.
STATION SOCIAL SECURITY ADMINISTRATION,

Defendants.

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An Order of the Honorable Natasha C. Merle, United States District Judge, having been filed on March 15, 2024, dismissing the action without prejudice; certifying pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith; denying *in forma pauperis* status for purpose of an appeal, *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); it is

ORDERED and ADJUDGED that this action is dismissed without prejudice; that pursuant to 28 U.S.C. § 1915(a)(3), any appeal would not be taken in good faith; and that *in forma pauperis* status is denied for purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Dated: Brooklyn, New York
March 18, 2024

Brenna B. Mahoney
Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk