

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, AUSTIN DIVISION**

Allan Joy v. Commissioner of Social Security

Joy · No. 1:25-CV-01804-ADA · Decided November 24, 2025

SUMMARY

The United States District Court for the Western District of Texas grants Allan Joy leave to proceed in forma pauperis and directs the Clerk to file the complaint without prepayment of fees. The Court also grants Joy's motion for permission to file electronically and authorizes issuance and service of process, while noting that the complaint is subject to screening under 28 U.S.C. § 1915(e)(2).

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION
ALLAN JOY, § Plaintiff § § v. § No. 1:25-CV-01804-ADA § COMMISSIONER OF SOCIAL §
SECURITY, § Defendant § ORDER ON IN FORMA PAUPERIS STATUS Before the Court is
Plaintiff Allan Joy's application to proceed in forma pauperis and financial affidavit in support and
complaint. See Dkt. 2. Also before the Court is Joy's pro se motion for permission to file
electronically.

Dkt. 3. The undersigned has reviewed Joy's financial affidavit and determined that he is indigent
and should be granted leave to proceed in forma pauperis, without prepayment of fees.
Accordingly, the Court hereby ORDERS Joy's request to proceed in forma pauperis, Dkt. 2, is
GRANTED.

The Clerk of the Court shall file Joy's complaint without prepayment of fees or costs or giving
security therefor pursuant to 28 U.S.C. § 1915(a). This indigent status is granted subject to a later
determination the action should be dismissed if the allegation of poverty is untrue or the action is
found frivolous or malicious pursuant to 28 U.S.C. § 1915(e).

Joy is further advised, although he has been granted leave to proceed in forma pauperis, a court
may, in its discretion, impose costs of court at the conclusion of this lawsuit, as in other cases. See
Moore v. McDonald, 30 F.3d 616, 621 (5th Cir. 1994).

The Court FURTHER ORDERS the Clerk of the Court to issue summons and the United States
Marshal to commence service of process, including service of Caldwell's complaint upon the
named defendants under Rules 4 and 5 of the Federal Rules of Civil Procedure.

Because Joy has been granted leave to proceed in forma pauperis, the Court is required by
standing order to review his Complaint under §1915(e)(2). After reviewing Joy's Complaint, the

Court has determined that this case should not be dismissed as frivolous at this time.

However, the Court cautions Joy that the Court may make a determination in the future that the action should be dismissed because the allegation of poverty is untrue or the action is frivolous or malicious pursuant to 28 U.S.C. § 1915(e). Joy is further advised that, although he has been granted leave to proceed in forma pauperis, the Court may, in its discretion, impose costs of court against him at the conclusion of this lawsuit, as in other cases.

See Moore, 30 F.3d at 621. The Court FINALLY ORDERS Joy's request for permission to file electronically in this matter, Dkt. 3, is GRANTED. Joy is instructed to review the Court's Administrative Policies and Procedures for Electronic Filing, and is reminded that under Section 6(h) of those Policies and Procedures, "if it is determined by the Court that the Filing User is abusing the privilege to electronically file documents or is consistently error prone in electronic filing, the Filing User's registration may be rescinded." SIGNED November 24, 2025.

DUSTIN M. HOWELL UNITED STATES MAGISTRATE JUDGE