

**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

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**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