

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PATRICK SMALL,

Plaintiff,

v.

KIMYA JONES, *et al.*,

Defendants.

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) Misc. Action No. 06-0534 (RJL)
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FILED

SEP 15 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

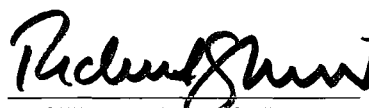
MEMORANDUM

This matter is before the Court on consideration of “whether [plaintiff] should be allowed to file his complaint in forma pauperis, after allowing him to submit information concerning expenses.” *Small v. Jones*, No. 06-5399 (D.C. Cir. Aug. 27, 2008).

This Court previously concluded that, based on the information provided in his original application to proceed *in forma pauperis*, payment of the filing fee would not have deprived plaintiff and his dependents of the necessities of life. *See Small v. Jones*, Misc. No. 06-0534 (D.D.C. May 23, 2008) (statement of reasons). The application was submitted nearly two years ago, and plaintiff’s circumstances may have changed.

If this matter were again before this Court, plaintiff would be directed “to file a supplemental affidavit providing additional information, including [his] liabilities, which may assist the court in its ruling,” *Martinez v. Kristi Kleaners, Inc.*, 364 F.3d 1305, 1308 (11th Cir. 2004) (per curiam), and from this filing determine whether plaintiff should be allowed to proceed *in forma pauperis*.

The Clerk is directed to transmit this Memorandum forthwith to the United States Court of Appeals for the District of Columbia Circuit.

A handwritten signature in black ink, appearing to read "Richard J. Leon", written over a horizontal line.

RICHARD J. LEON
United States District Judge

Date: