

Rule 4.07 | IN FORMA PAUPERIS PROCEEDINGS

(a) Cases commenced *in forma pauperis* with appropriate affidavit of indigency pursuant to 28 U.S.C. Section 1915, or other applicable statutes (including such proceedings initiated by prisoners under 28 U.S.C. Sections 2254 or 2255), shall be docketed and assigned by the Clerk in accordance with Rules 1.03 or 1.04 as in any other case; provided, however, the case shall then be transmitted, prior to issuance of any process, to the judge to whom the case has been assigned. The Court may dismiss the case if satisfied that the action is frivolous or malicious, as provided by 28 U.S.C. Section 1915(e); or may enter such other orders as shall seem appropriate to the pendency of the cause, including an order that the party seeking leave to proceed *in forma pauperis* shall pay a stated portion of the Clerk's and/or Marshal's fees within a prescribed time, failing which the action may be dismissed without prejudice. (See also Rule 4.14.)

(b) All persons applying to proceed *in forma pauperis* shall be deemed to have consented to the entry of an order by the Court directing payment of all non-prepaid fees and costs out of any recovery, including a reasonable attorney's fee if counsel has been appointed by the Court to represent such person.