

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JAMES W. SCALES, )  
 )  
 Plaintiff, )  
 )  
 vs. ) No. 1:16-cv-03047-TWP-MJD  
 )  
 VILLAGE OF MILLS CROSSING, )  
 COMMUNITY BUILDERS, )  
 )  
 Defendants. )

**Entry Directing Further Proceedings**

This matter is before the Court on Plaintiff’s Motion to Appoint Counsel and Motion to Proceed in *Forma Pauperis*. In this action, *pro se* Plaintiff James W. Scales alleges that his former employer, Village of Mills Crossing Community Builders, Inc., violated his rights under the Americans with Disabilities Act by failing to accommodate his disability. Having considered the matters which are pending, the Court makes the following rulings:

1. The plaintiff’s request to proceed *in forma pauperis* [dkt. 4] is **granted**. Notwithstanding the foregoing ruling, the plaintiff still owes the filing fee. “All [28 U.S.C.] § 1915 has ever done is excuse *pre*-payment of the docket fees; a litigant remains liable for them, and for other costs, although poverty may make collection impossible.” *Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1025 (7th Cir. 1996).

2. The plaintiff’s request for attorney assistance states that the plaintiff would like help with the legal process or mediation. This request [dkt. 2] is denied without prejudice as premature. The plaintiff may renew his request after the defendants have answered or otherwise responded to the complaint.

3. The clerk is designated, pursuant to *Fed. R. Civ. P.* 4(c)(3), to issue and serve process on the defendants in the manner specified by *Fed. R. Civ. P.* 4(d)(1). Process shall consist of the complaint, applicable forms and this Entry.

**IT IS SO ORDERED.**

Date: 11/10/2016



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TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

JAMES W. SCALES  
4119 Deborah St.  
Indianapolis, IN 46222

Village at Mills Crossing  
3615 Sherman Forest Drive  
Indianapolis, IN 46205

Community Builders, Inc.  
95 Berkeley St. #500  
Boston, MA 02116