

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Sherylabigail Elissa Castro Santillan v. Frank J. Bisignano,
Commissioner of Social Security

Castro Santillan v. Bisignano · No. 2:25-cv-02356-MDC · Decided December 4, 2025

SUMMARY

The United States District Court for the District of Nevada denied without prejudice the plaintiff’s application to proceed in forma pauperis in a Social Security appeal. The court found deficiencies and inconsistencies in the financial information provided and ordered the plaintiff either to submit a corrected Long Form application or pay the filing fee by the stated deadline. The order warns that failure to comply may result in a recommendation of dismissal.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Maximiliano D. Couvillier, III
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 4, 2025
DOCKET	2:25-cv-02356-MDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a Social Security appeal, complaint, and application to proceed in forma pauperis. The district court considered the application and denied it without prejudice.
STANDARD OF REVIEW	The district court exercises discretion in evaluating the sufficiency and reliability of an applicant's financial showing for in forma pauperis status.
PRECEDENTIAL VALUE	Unknown; district court order denying an IFP application without prejudice.
PARTIES	Sherylabigail Elissa Castro Santillan v. Frank J. Bisignano, Commissioner of Social Security

TOPICS

- civil procedure
- administrative law

PRACTICE AREAS

civil procedure

Social Security

QUESTIONS PRESENTED

1. Whether plaintiff demonstrated under 28 U.S.C. § 1915(a)(1) that she was unable to pay the filing fee while providing herself with the necessities of life.
2. Whether the court should deny plaintiff's IFP application without prejudice because the application contained material inconsistencies and omitted information necessary to evaluate her financial status.

HOLDINGS

1. Plaintiff's IFP application was insufficient because inconsistencies and omissions prevented the court from determining her financial status.
2. The IFP application was denied without prejudice, and plaintiff was permitted to submit a new, complete Long Form IFP application or pay the full filing fee.

KEY QUOTATIONS

“Under 28 U.S.C. § 1915(a)(1), a plaintiff may bring a civil action “without prepayment of fees or security thereof” if the plaintiff submits a financial affidavit that demonstrates the plaintiff “is unable to pay such fees or give security therefor.”” (at 1)

“An applicant need not be destitute to qualify for a waiver of costs and fees, but he must demonstrate that because of his poverty he cannot pay those costs and still provide himself with the necessities of life.” (at 1)

FACTUAL BACKGROUND

Plaintiff stated that she was not working and had no assets. Elsewhere in the application, she reported receiving \$1,550 in Section 8 rental benefits but did not identify that benefit as public-assistance income. She also failed to disclose the amount of rent she actually paid, utilities expenses, or how she and her boyfriend contributed to household living expenses.

PROCEDURAL HISTORY

Plaintiff submitted a Long Form IFP application and a fee-waiver questionnaire. The court found inconsistencies and omissions concerning her public-assistance income, rent, utilities, and household expenses, concluded that it could not determine her financial eligibility, and denied the application without prejudice. The court gave plaintiff until January 8, 2026, to submit a corrected Long Form application or pay the \$405 filing fee.

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1235 (9th Cir. 2015)

- *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948)
- *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981)
- *Marin v. Hahn*, 271 Fed. Appx. 578 (9th Cir. 2008)
- *Kennedy v. Huibregtse*, 831 F.3d 441, 443-44 (7th Cir. 2016)
- *Greco v. NYE Cty. Dist. Judge Robert Lane*, No. 2:15-cv-001370-MMD-PAL, 2016 WL 7493981, at *3 (D. Nev. Nov. 9, 2016)
- *Greco v. Lake*, No. 2:15-cv-001370-MMD-PAL, 2016 WL 7493963 (D. Nev. Dec. 30, 2016)
- *Thomas v. Arn*, 474 U.S. 140, 142 (1985)
- *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991)
- *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)

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