

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Akosua Aaebo-Akhan v. Kwesi Akhan, et al.

No. 25-2500-JWB (D. Kan. Jan. 15, 2026) · No. 25-2500-JWB · Decided January 16, 2026

SUMMARY

The District of Kansas overruled Plaintiff Akosua Aaebo-Akhan’s objection to a magistrate judge’s denial of her request for an exemption from PACER fees. The court held that she had not shown the magistrate judge’s decision was clearly erroneous or contrary to law, and that arguments raised for the first time in the objection were waived.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Broomes
JURISDICTION	United States District Court for the District of Kansas
DECIDED	January 16, 2026
DOCKET	25-2500-JWB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected under Federal Rule of Civil Procedure 72(a) to a magistrate judge's order denying her motion for an exemption from PACER fees. The district court overruled the objection.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(a), the district judge must modify or set aside a portion of a magistrate judge's order on a non-dispositive pretrial matter only if it is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	unpublished
PARTIES	Akosua Aaebo-Akhan v. Kwesi Akhan, et al.

TOPICS

- civil procedure
- costs
- due process

PRACTICE AREAS

- civil procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether the magistrate judge's denial of Plaintiff's request for a PACER fee exemption was clearly erroneous or contrary to law under Federal Rule of Civil Procedure 72(a).
2. Whether Plaintiff's argument that she lacked access to documents because a third party retained them was waived because it was raised for the first time in her objection.
3. Whether Plaintiff's in forma pauperis status alone required a PACER fee exemption.

HOLDINGS

1. The denial was not clearly erroneous or contrary to law because Plaintiff failed to identify a qualifying error in the magistrate judge's decision.
2. A litigant's in forma pauperis status, standing alone, does not require the court to grant a PACER fee exemption.
3. Plaintiff waived the argument that she lacked documents because a third party retained them by failing to present that argument to the magistrate judge.

KEY QUOTATIONS

“When a non-dispositive pretrial matter is ruled upon by a magistrate judge and a timely and specific objection to the ruling is made, the district judge is required to “modify or set aside any part of the order that is clearly erroneous or is contrary to law.””

“Plaintiff’s status as in forma pauperis, alone, is not sufficient for the court to grant an exemption.”

“In sum, Plaintiff’s objection fails to establish clear error in Magistrate Judge Mitchell’s decision.”

FACTUAL BACKGROUND

Plaintiff was proceeding pro se and in forma pauperis and had registered for electronic notification of filings. She sought a PACER fee exemption to conduct purported case-law research and to access and store electronic copies of filings because she was homeless and unable to carry documents. The record showed that filings had been mailed to her address before November 2025 and provided by email thereafter, and her initial motion did not state that a third party retained earlier documents.

PROCEDURAL HISTORY

Plaintiff, proceeding pro se and in forma pauperis, requested a PACER fee waiver to access and electronically store documents filed in the case. Magistrate Judge Angel Mitchell denied the motion, explaining that Plaintiff received one free access to documents sent by email and could request mailed paper copies. The district court reviewed Plaintiff's timely objection and overruled it.

DISPOSITION

other

CASES CITED

- United States v. Pinson, 584 F.3d 972, 975 (10th Cir. 2009)
- Whitney v. New Mexico, 113 F.3d 1170, 1173-74 (10th Cir. 1997)
- Marshall v. Chater, 75 F.3d 1421, 1426 (10th Cir. 1996)
- United States v. Garfinkle, 261 F.3d 1030, 1030-31 (10th Cir. 2001)
- Crump v. Johnson Cnty. Bd. of Comm'rs, No. 5:24-CV-03046-JAR-RES, 2025 WL 2550216, at *1–2 (D. Kan. May 29, 2025)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-district-of-kansas-united-states-district-court-for-the-district/2026/akosua-aaebo-akhan-v-kwesi-akhan-et-al-1usb81io>