

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Piontek Young v. David Ozcan

Piontek Young · No. EDCV 25-2040 DSF (PD) · Decided October 20, 2025

SUMMARY

The United States District Court for the Central District of California dismissed Plaintiff Piontek Young’s action without prejudice for failing to pay the filing fee after denial of his request to proceed in forma pauperis. The court had ordered Plaintiff to pay the fee within 30 days and warned that noncompliance would result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Dale S. Fischer
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 20, 2025
DOCKET	EDCV 25-2040 DSF (PD)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff's civil rights action was dismissed without prejudice after the court denied his application to proceed in forma pauperis, ordered him to pay the filing fee, and he failed to comply.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Piontek Young v. David Ozcan, et al.

TOPICS

- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner litigation

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice because Plaintiff failed to pay the filing fee after denial of his request to proceed in forma pauperis and after receiving a compliance warning.

HOLDINGS

1. An action may be dismissed without prejudice when the plaintiff, after being denied leave to proceed in forma pauperis and warned to pay the filing fee, fails to pay the fee or otherwise comply with the court's order.

KEY QUOTATIONS

“Accordingly, this action is *DISMISSED* without prejudice.”

FACTUAL BACKGROUND

Plaintiff initiated a civil action but did not pay the filing fee. After denying his request to proceed in forma pauperis, the court ordered him to pay the full fee and warned that failure to do so within 30 days would lead to dismissal; Plaintiff did not comply or otherwise respond.

PROCEDURAL HISTORY

On August 22, 2025, the court denied Plaintiff's request to proceed in forma pauperis and directed him to pay the full filing fee and file a notice confirming payment. The court warned that failure to comply within 30 days would result in dismissal without prejudice. Plaintiff neither paid the fee nor responded, so the court dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30 (1962)
- Allen v. United States Dist. Ct. Dist. of Nevada, 2022 WL 16702429, at *2 (D. Nev. Oct. 25, 2022)

OPINION

Piontek Young v. David Ozcan, et al.

PER CURIAM.

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PIONTEK YOUNG, EDCV 25-2040 DSF (PD)

Plaintiff, Order DISMISSING Action for v. Failing to Pay Filing Fee DAVID OZCAN, et al., Defendants. All parties instituting a civil action, suit, or proceeding in a district court of the United States must pay a filing fee. 28 U.S.C. § 1914(a). An action may proceed despite a party's failure to pay the filing fee only if the party is granted leave to proceed in forma pauperis ("IFP") under 28 U.S.C. § 1915(a)(1). However, prisoners must still pay the filing fee but may do so through

monthly installment payments if granted IFP. 28 U.S.C. § 1915(b). On August 22, 2025, the Court denied Plaintiff's IFP Request and directed him to pay the full filing fee and separately file a notice indicating it had been paid. (Dkt. 4). The Court warned that if he did not comply within 30 days, the case would be dismissed without prejudice. (Id.) To date, Plaintiff has not paid the filing fee or otherwise responded to the Court's Order. /// /// /// Accordingly, this action is DISMISSED without prejudice. See *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *Allen v. United States Dist. Ct. Dist. of Nevada*, 2022 WL 16702429, at *2 (D. Nev. Oct. 25, 2022) (dismissing § 1983 action where inmate failed qualify for IFP or pay filing fee). IT IS SO ORDERED. Date: October 20, 2025 ☐☐ Ma i eee Ben Dale S. Fischer United States District Judge