

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Kimberly J. Williams v. Commissioner of Social Security

Williams · No. 8:25-CV-695 · Decided February 3, 2026

SUMMARY

The United States District Court for the District of Nebraska ordered the plaintiff to show cause why her Social Security case should not be dismissed. The court cited her failure to pay the filing fee, obtain in forma pauperis status, and comply with a prior order, and set a February 17, 2026 deadline.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	John M. Gerrard
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	February 3, 2026
DOCKET	8:25-CV-695
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause in a Social Security action filed without payment of the filing fee or an approved application to proceed in forma pauperis.
PRECEDENTIAL VALUE	Unpublished district court order with limited precedential value.
PARTIES	Kimberly J. Williams v. Commissioner of Social Security

TOPICS

[civil procedure](#) [administrative law](#)

PRACTICE AREAS

[civil procedure](#) [social security](#) [in forma pauperis proceedings](#)

QUESTIONS PRESENTED

1. Whether a plaintiff who has neither paid the filing fee nor obtained approval to proceed in forma pauperis may be required to show cause why the action should not be dismissed.
2. Whether the plaintiff's failure to comply with the court's order to refile a deficient in forma pauperis motion supports potential dismissal under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. An in forma pauperis application must include the required affidavit or verified declaration of the facts supporting the application; the plaintiff's one-page, unverified motion was deficient.
2. A case may be dismissed absent good cause when the plaintiff neither pays the filing fee nor obtains leave to proceed in forma pauperis and also fails to comply with the court's order.

FACTUAL BACKGROUND

Plaintiff initiated the action without paying the filing fee. Her motion to proceed in forma pauperis was a single page and lacked an affidavit or other verified declaration supporting its factual contents. After the court denied the motion and directed counsel to refile it, plaintiff did not do so and had neither paid the fee nor obtained leave to proceed in forma pauperis.

PROCEDURAL HISTORY

Plaintiff filed the action on December 5, 2025, without paying the filing fee and submitted a one-page in forma pauperis motion. The court denied that motion as deficient because it lacked an affidavit or verified declaration and directed plaintiff's counsel to refile it. After the motion was not refiled and the filing fee remained unpaid, the court ordered plaintiff to show cause why the action should not be dismissed.

DISPOSITION

other

CASES CITED

- Brooks v. Special School District of St. Louis County, 129 F.3d 121 (8th Cir. 1997)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA
KIMBERLY J. WILLIAMS, Plaintiff, 8:25-CV-695 vs. ORDER TO SHOW CAUSE
COMMISSIONER OF SOCIAL SECURITY, Defendant. The plaintiff filed this case on December 5, 2025, without paying the filing fee. See filing 1. Instead, she filed a motion to proceed in forma pauperis. Filing 2. But that motion was deficient, consisting of a single page and, crucially, missing anything that would constitute an affidavit or other verified declaration of the facts it contained.

See 28 U.S.C. § 1915(a)(1); see also 28 U.S.C. § 1746. Accordingly, the Court denied the motion, explaining that it was incomplete, and directed the plaintiff's counsel to refile the document. Filing 5. That hasn't been done.

As a result, the plaintiff has neither paid the filing fee nor been given leave to proceed in forma pauperis. The plaintiff's complaint is subject to dismissal for failure to pay the filing fee and failure

to comply with the Court's previous order. See 28 U.S.C. § 1914; Fed. R. Civ. P. 41(b); see also *Brooks v. Special Sch. Dist. of St. Louis Cnty.*, 129 F.3d 121 (8th Cir.

1997). Accordingly, IT IS ORDERED: 1. On or before February 17, 2026, the plaintiff shall show cause why this case should not be dismissed for failure to pay the filing fee or move for IFP status and for failure to comply with the Court's orders. 2. Absent good cause, this case will be dismissed without further notice. 3.

The Clerk of the Court is directed to set a show cause deadline for February 17, 2026. Dated this 3rd day of February, 2026. BY THE COURT: hn M. Gerrard enior United States District Judge