

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, AUSTIN DIVISION

Allan Joy v. Commissioner of Social Security

Joy · No. 1:25-CV-01804-ADA · Decided November 24, 2025

SUMMARY

The United States District Court for the Western District of Texas grants Allan Joy leave to proceed in forma pauperis and directs the Clerk to file the complaint without prepayment of fees. The Court also grants Joy’s motion for permission to file electronically and authorizes issuance and service of process, while noting that the complaint is subject to screening under 28 U.S.C. § 1915(e)(2).

CASE DETAILS

COURT	United States District Court for the Western District of Texas, Austin Division
WRITING FOR THE COURT	Dustin M. Howell
JURISDICTION	United States District Court for the Western District of Texas, Austin Division
DECIDED	November 24, 2025
DOCKET	1:25-CV-01804-ADA
DISPOSITION	other
PROCEDURAL POSTURE	At the commencement of a Social Security action, the plaintiff applied to proceed in forma pauperis, submitted a financial affidavit and complaint, and moved for permission to file electronically.
STANDARD OF REVIEW	The court reviewed the financial affidavit to determine indigency and screened the complaint under 28 U.S.C. § 1915(e)(2) for possible dismissal as frivolous or malicious.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- service of process
- costs

PRACTICE AREAS

- civil procedure
- Social Security

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated indigency sufficient to proceed in forma pauperis without prepayment of fees or costs.
2. Whether the complaint required dismissal as frivolous or malicious under 28 U.S.C. § 1915(e)(2) at the initial screening stage.
3. Whether Plaintiff's pro se request for permission to file electronically should be granted.

HOLDINGS

1. The court held that Joy was indigent and granted him leave to proceed in forma pauperis without prepayment of fees, costs, or security.
2. The court held that the action should not be dismissed as frivolous at that time, while preserving the possibility of later dismissal if the allegation of poverty proved untrue or the action were found frivolous or malicious.
3. The court held that Joy's request for permission to file electronically should be granted, subject to the court's administrative policies and the possibility that the privilege could be rescinded for abuse or consistently erroneous filings.

KEY QUOTATIONS

“The undersigned has reviewed Joy’s financial affidavit and determined that he is indigent and should be granted leave to proceed in forma pauperis, without prepayment of fees.”

“After reviewing Joy’s Complaint, the Court has determined that this case should not be dismissed as frivolous at this time.”

“if it is determined by the Court that the Filing User is abusing the privilege to electronically file documents or is consistently error prone in electronic filing, the Filing User’s registration may be rescinded.”

FACTUAL BACKGROUND

Allan Joy filed a complaint against the Commissioner of Social Security, an application to proceed in forma pauperis, a supporting financial affidavit, and a pro se motion for permission to file electronically. The court determined from the financial affidavit that Joy was indigent. After reviewing the complaint as required for an in forma pauperis action, the court found no basis at that time to dismiss it as frivolous.

PROCEDURAL HISTORY

The court reviewed Plaintiff Allan Joy's application, financial affidavit, complaint, and motion for electronic filing. The court found Joy indigent, granted in forma pauperis status, ordered filing and service of process, screened the complaint under 28 U.S.C. § 1915(e)(2), and determined that the action should not be dismissed as frivolous at that time. The court also granted permission to file electronically.

DISPOSITION

other

CASES CITED

- Moore v. McDonald, 30 F.3d 616, 621 (5th Cir. 1994)

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