

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Haapaniemi v. Warden, FCI Mendota Prison

Haapaniemi · No. 1:23-cv-00306-GSA (PC) · Decided March 2, 2023

SUMMARY

The United States District Court for the Eastern District of California grants Bjorn Erik Haapaniemi’s application to proceed in forma pauperis in his action against the Warden of FCI Mendota and others. The court directs FCI Mendota to collect and remit monthly payments toward the \$350 statutory filing fee under 28 U.S.C. § 1915 and orders service of the order and related documents.

CASE DETAILS

|                       |                                                                                                                                                                                                                                           |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                       |
| WRITING FOR THE COURT | Gary S. Austin                                                                                                                                                                                                                            |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                       |
| DECIDED               | March 2, 2023                                                                                                                                                                                                                             |
| DOCKET                | 1:23-cv-00306-GSA (PC)                                                                                                                                                                                                                    |
| DISPOSITION           | other                                                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | A federal prisoner proceeding pro se filed a civil-rights action and applied to proceed in forma pauperis. The district court ruled on the application and directed collection of the statutory filing fee from the prison trust account. |
| STANDARD OF REVIEW    | The court applied the statutory eligibility standard under 28 U.S.C. § 1915(a) and found that plaintiff made the required showing.                                                                                                        |
| PRECEDENTIAL VALUE    | Unpublished district court order; nonprecedential                                                                                                                                                                                         |

TOPICS

- prisoners rights
- civil rights
- civil procedure
- remedies

PRACTICE AREAS

- Prisoner civil rights
- Federal civil procedure
- In forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether plaintiff should be permitted to proceed in forma pauperis under 28 U.S.C. § 1915(a).
2. How plaintiff's statutory filing fee must be collected under 28 U.S.C. § 1915(b).

#### **HOLDINGS**

1. Plaintiff made the showing required by 28 U.S.C. § 1915(a), so the application to proceed in forma pauperis was granted.
2. Plaintiff remains obligated to pay the \$350 statutory filing fee, with monthly payments equal to twenty percent of the preceding month's income credited to his prison trust account, forwarded whenever the account balance exceeds \$10, until the fee is paid in full.

#### **KEY QUOTATIONS**

*“Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month’s income credited to plaintiff’s trust account.” (at 1)*

*“The payments shall be clearly identified by the name and number assigned to this action.” (at 1)*

#### **FACTUAL BACKGROUND**

Bjorn Erik Haapaniemi is a federal prisoner proceeding without counsel in a Bivens action. He submitted an application to proceed in forma pauperis and was subject to payment of the statutory civil filing fee from his prison trust account.

#### **PROCEDURAL HISTORY**

Plaintiff initiated this action under Bivens and submitted an application to proceed in forma pauperis under 28 U.S.C. § 1915. The court granted the application, ordered payment of the \$350 statutory filing fee through monthly deductions, and directed service of the order and related materials on prison and court financial officials.

#### **DISPOSITION**

other

#### **CASES CITED**

- Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)

#### **INSTRUCTIONS FOR AN AI ASSISTANT**

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