

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Camargo Alejo v. Vista Detention Facility

No. 3:25-cv-0258-AGS-JLB (S.D. Cal. Apr. 1, 2025) · No. 3:25-cv-0258-AGS-JLB · Decided April 1, 2025

SUMMARY

The United States District Court for the Southern District of California denied Jose Camargo Alejo’s motion to proceed in forma pauperis because he failed to provide a certified trust-account statement for the preceding six months. The court dismissed the § 1983 action without prejudice and allowed the plaintiff to reopen it by paying the filing fees or submitting a renewed, properly supported IFP motion by the stated deadline.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Andrew G. Schopler
JURISDICTION	United States District Court for the Southern District of California
DECIDED	April 1, 2025
DOCKET	3:25-cv-0258-AGS-JLB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se civil-rights complaint under 42 U.S.C. § 1983 and a motion to proceed in forma pauperis. The district court denied the IFP motion and dismissed the action without prejudice.
STANDARD OF REVIEW	The court evaluated the sufficiency of the IFP application under 28 U.S.C. § 1915 and the applicable filing-fee requirements.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential.

TOPICS

- civil procedure
- section 1983
- prisoners rights
- civil rights

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether plaintiff's motion to proceed in forma pauperis could be granted without a certified trust-account statement or institutional equivalent for the six-month period preceding the complaint.
2. Whether the action should be dismissed without prejudice when the IFP motion was incomplete.

HOLDINGS

1. A prisoner or detainee seeking to proceed in forma pauperis must submit a certified copy of the required trust-account statement or institutional equivalent for the six-month period preceding the filing of the complaint; because plaintiff did not submit that documentation, the IFP motion was denied.
2. When the IFP motion is denied because the required documentation is missing, the action may be dismissed without prejudice, subject to reopening if plaintiff timely pays the filing fees or submits a compliant renewed IFP motion.

KEY QUOTATIONS

“a “certified copy of the[ir] trust fund account statement (or institutional equivalent) for . . . the 6-month period immediately preceding the filing of the complaint.”” (1)

FACTUAL BACKGROUND

Plaintiff Jose Camargo Alejo, a detainee proceeding without counsel, filed a civil-rights complaint against Vista Detention Facility and other defendants. He also sought leave to proceed in forma pauperis. His application did not include a certified copy of his trust-account statement or institutional equivalent for the six-month period preceding the complaint.

PROCEDURAL HISTORY

Jose Camargo Alejo filed a civil-rights complaint and an IFP motion. The district court determined that the IFP motion was incomplete because it lacked a certified trust-account statement or institutional equivalent for the preceding six months. The court denied IFP, dismissed the action without prejudice, and allowed plaintiff until May 12, 2025, to reopen the case by paying the full filing fee or filing a renewed compliant IFP motion.

DISPOSITION

dismissed

CASES CITED

- *Hymas v. U.S. Department of the Interior*, 73 F.4th 763, 765 (9th Cir. 2023)
- *Bruce v. Samuels*, 577 U.S. 82, 84 (2016)
- *Taylor v. Delatoore*, 281 F.3d 844, 847 (9th Cir. 2002)
- *Andrews v. King*, 398 F.3d 1113, 1119 (9th Cir. 2005)