

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS

Jordan Michael Davis v. Kayla Potts, Officer, et al.

Davis v. Potts · No. 4:25-cv-00429-LPR · Decided January 9, 2026

SUMMARY

The United States District Court for the Eastern District of Arkansas denies Jordan Davis's motion to proceed in forma pauperis, finding that his income and savings do not establish indigency. The court also denies his motion for appointed counsel without prejudice and orders him to pay the \$405 filing fee within 30 days, warning that failure to do so will result in dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Arkansas
JURISDICTION	United States District Court for the Eastern District of Arkansas
DECIDED	January 9, 2026
DOCKET	4:25-cv-00429-LPR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed in forma pauperis and for appointment of counsel in a civil-rights action.
STANDARD OF REVIEW	Whether to grant in forma pauperis status and appoint counsel is committed to the sound discretion of the trial court.
PRECEDENTIAL VALUE	unknown
PARTIES	Jordan Michael Davis v. Kayla Potts, Officer, et al.

TOPICS

[civil procedure](#) [civil rights](#) [section 1983](#) [service of process](#)

PRACTICE AREAS

[civil procedure](#) [civil rights](#)

QUESTIONS PRESENTED

- Whether Plaintiff qualified to proceed in forma pauperis under 28 U.S.C. § 1915.
- Whether the court should appoint counsel for Plaintiff.

3. What filing-fee and service obligations should follow denial of in forma pauperis status.

HOLDINGS

1. Plaintiff was not entitled to proceed in forma pauperis because his reported earnings and savings, together with his minimal expenses and lack of dependents, did not establish indigency.
2. Appointment of counsel was unwarranted at that stage because Plaintiff was not indigent and the court found that he was capable of representing himself in a young, noncomplex case.
3. Plaintiff was required to pay the full \$405 filing fee within thirty days, and, after payment, was responsible for obtaining service of process on the named defendants; failure to pay would result in dismissal without prejudice.

KEY QUOTATIONS

“The in forma pauperis statute, 28 U.S.C. § 1915, is designed to ensure ‘that indigent persons will have equal access to the judicial system.’”

“While a pro se litigant has no constitutional or statutory right to counsel, the Court may, in its discretion, appoint counsel where an indigent plaintiff has brought a non-frivolous claim and ‘the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel.’”

FACTUAL BACKGROUND

Davis's in forma pauperis application showed monthly take-home pay of \$2,684, savings of \$3,500, minimal expenses, and no dependents. The court found that these circumstances did not establish indigency. The court also found that the case was at an early stage, that Davis's claims did not appear legally or factually complex, and that he was capable of representing himself at that time.

PROCEDURAL HISTORY

The action was filed in the United States District Court for the Eastern District of Arkansas. The court denied Plaintiff's motion to proceed in forma pauperis because his financial circumstances did not establish indigency, denied appointment of counsel without prejudice, and ordered him to pay the \$405 filing fee within thirty days or face dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Lee v. McDonald's Corp., 231 F.3d 456, 458 (8th Cir. 2000)
- Greaser v. Mo. Dep't of Corr., 145 F.3d 979, 985 (8th Cir. 1998)
- Cross v. Gen. Motors Corp., 721 F.2d 1152, 1157 (8th Cir. 1983)
- Patterson v. Kelley, 902 F.3d 845, 850 (8th Cir. 2018)

- Johnson v. Williams, 788 F.2d 1319, 1322 (8th Cir. 1986)
- Phillips v. Jasper County Jail, 437 F.3d 790, 794 (8th Cir. 2006)

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