

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Michelle Smith v. Credit Union West

No. CV-26-02328-PHX-DWL (D. Ariz. Apr. 20, 2026) · No. No. CV-26-02328-PHX-DWL · Decided April 21, 2026

SUMMARY

The United States District Court for the District of Arizona denied Michelle Smith’s motion for reconsideration of the denial of her application to proceed in forma pauperis. The court concluded that Plaintiff had not shown manifest error or demonstrated that paying the filing fee would require her to forgo the necessities of life. The court also denied her renewed request for procedural accommodations under the ADA as moot or premature.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Dominic W. Lanza
JURISDICTION	United States District Court for the District of Arizona
DECIDED	April 21, 2026
DOCKET	No. CV-26-02328-PHX-DWL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the denial of her application to proceed in forma pauperis and renewed her request for limited procedural accommodations under the ADA.
STANDARD OF REVIEW	Reconsideration is an extraordinary remedy disfavored absent manifest error or new facts or legal authority that could not previously have been presented with reasonable diligence. The court reviewed the renewed accommodation request for a change in circumstances warranting alteration of its prior ruling.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

- motion for reconsideration
- reasonable accommodation
- ada / disability
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated manifest error or newly presented facts or legal authority warranting reconsideration of the denial of in forma pauperis status.
2. Whether Plaintiff's renewed request for limited procedural accommodations under the ADA should be granted based on changed circumstances.

HOLDINGS

1. Reconsideration was unwarranted because Plaintiff did not demonstrate manifest error, newly available facts, or newly available legal authority. Plaintiff had not shown that she could not pay the \$405 filing fee while still affording the necessities of life.
2. The renewed request for limited procedural accommodations was denied because Plaintiff did not address the court's prior analysis and showed no change in circumstances that would alter the prior determination that the requested accommodations appeared moot or premature.

KEY QUOTATIONS

“Motions for reconsideration are disfavored and should be denied “absent a showing of manifest error or a showing of new facts or legal authority that could not have been brought to [the Court’s] attention earlier with reasonable diligence.””

“Plaintiff simply has not demonstrated that she cannot pay the filing fee for this case and still provide “the necessities of life” for her and her children.”

FACTUAL BACKGROUND

Plaintiff reported monthly employment income of \$5,000 and monthly Supplemental Security Income of \$3,976, supported four children, and owned a nearly new 2025 Hyundai Santa Fe subject to a substantial loan. She asserted that her income was consumed by household, transportation, debt, child-related, and disability-related expenses and that her bank accounts were routinely negative. The court noted discretionary expenditures including substantial clothing purchases, restaurant and fast-food spending, a massage, and entertainment subscriptions.

PROCEDURAL HISTORY

The court previously denied Plaintiff's application to proceed in forma pauperis and denied without prejudice her motion for reasonable accommodation. Plaintiff then filed a motion for reconsideration and renewed accommodation request. The court denied both requests.

DISPOSITION

other

CASES CITED

- Kona Enters., Inc. v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000)
- Escobedo v. Applebees, 787 F.3d 1226, 1234 (9th Cir. 2015)
- Badillo v. Comm'r of Soc. Sec., 2020 WL 2494575, at *3 (E.D. Cal. 2020)
- Valentine v. Granville Realty, Inc., 2025 WL 1839935, at *2 (E.D. Cal. 2025)
- Reardon v. O'Malley, 2024 WL 2160514, at *2 (D. Idaho 2024)
- Smith v. Office of Administrative Hearings et al., No. 2:26-cv-01515-DWL, Doc. 1-3 at 7

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