

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Stowers v. Hastey

Stowers · No. 2:25-cv-1110-JDP (P) · Decided April 29, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered plaintiff Alton D. Stowers to explain within 21 days why he should be permitted to proceed in forma pauperis despite an account balance of \$4,601, which appeared sufficient to pay the \$405 filing fee. The court stated that failure to respond would lead to a recommendation that the application be denied and that plaintiff be directed to pay the full filing fee.

OPINION

(PC) Stowers v. Hastey

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ALTON D. STOWERS, Case No. 2:25-cv-1110-JDP (P) 12 Plaintiff, 13 v. ORDER 14
JASON M. HASTEY, et al., 15 Defendants. 16 17 Plaintiff, a state inmate, brings this § 1983
action and concurrently has applied to proceed 18 in forma pauperis, ECF No. 2. I have reviewed
his trust fund account statement, and it appears 19 that he has sufficient funds to cover the filing
fee. His account statement indicates that he has an 20 available balance of \$4,601—more than
enough to cover the \$405 filing fee. Id. But before 21 recommending that plaintiff’s application be
denied, I will give him an opportunity to respond to 22 this order and to explain why he cannot
both pay the filing fee and still afford his necessities. See 23 Escobedo v. Applebees, 787 F.3d
1226, 1234 (9th Cir. 2015) (“An affidavit in support of an IFP 24 application is sufficient where it
alleges that the affiant cannot pay the court costs and still afford 25 the necessities of life.”). 26
Accordingly, it is ORDERED that within twenty-one days of this order’s entry plaintiff 27 may
respond to this order and explain why he should still be allowed to proceed in forma 28 pauperis.
If he fails to do so, I will recommend that plaintiff’s application be denied, and he be 1 | directed
to pay the full filing fee. 2 3 IT IS SO ORDERED. 4 (| { ie — Dated: _ April 29, 2025 q———

5 JEREMY D. PETERSON

6 UNITED STATES MAGISTRATE JUDGE

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