

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Christopher Allen Barela v. Frank Bisignano

Barela · No. Civ. No. 25-1278 SCY · Decided December 24, 2025

SUMMARY

The United States District Court for the District of New Mexico partially grants Christopher Allen Barela’s application to proceed in forma pauperis in a Social Security action. The court reduces the filing fee to \$350 and orders an initial \$50 payment followed by monthly \$50 installments, with possible dismissal for nonpayment without a motion to modify.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	December 24, 2025
DOCKET	Civ. No. 25-1278 SCY
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff applied to proceed in forma pauperis in a civil action for review of a Social Security matter. The district court partially granted the application, reduced the filing fee, and authorized payment in installments.
STANDARD OF REVIEW	The court evaluated the sufficiency of Plaintiff's financial affidavit and exercised its statutory discretion under 28 U.S.C. § 1915(a) to determine whether partial fee relief was appropriate.
PRECEDENTIAL VALUE	Unknown
PARTIES	Christopher Allen Barela v. Frank Bisignano, Commissioner of Social Security

TOPICS

civil procedure

PRACTICE AREAS

civil procedure in forma pauperis proceedings Social Security judicial review

QUESTIONS PRESENTED

1. Whether Plaintiff qualified for complete in forma pauperis relief under 28 U.S.C. § 1915(a).
2. Whether the court could grant partial IFP relief and require payment of the filing fee in installments.

HOLDINGS

1. Plaintiff was not entitled to complete waiver of the filing fee because the court could not conclude that he was unable to afford the necessities of life, given his income and substantial assets.
2. The court could grant partial IFP relief, reduce the amount due to \$350, and require Plaintiff to pay the filing fee in installments.

KEY QUOTATIONS

“A litigant need not be “absolutely destitute.””

“The Court cannot conclude that Plaintiff cannot afford the necessities of life if he must make a filing fee.”

FACTUAL BACKGROUND

Plaintiff reported household monthly income of \$6,813.63, monthly expenses of \$6,720, and assets valued at approximately \$570,000. His annual household income of \$81,763.20 exceeded both the 2025 federal poverty guideline for a household of five and New Mexico's median income. The court nevertheless found that paying the full \$405 filing fee up front would likely create a hardship.

PROCEDURAL HISTORY

Plaintiff filed a complaint and an application to proceed without prepaying fees or costs. After reviewing Plaintiff's reported income, expenses, and assets, the court concluded that he could afford the necessities of life but that paying the full filing fee up front would likely impose a hardship. The court therefore granted IFP status in part and ordered an initial payment followed by monthly installments.

DISPOSITION

other

CASES CITED

- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339, 344 (1948)
- Haynes v. Scott, 116 F.3d 137, 139-40 (5th Cir. 1997)
- Lister v. Department of Treasury, 408 F.3d 1309, 1312 (10th Cir. 2005)
- Stack v. Stewart, 82 F.3d 426 (10th Cir. 1996)
- Knight v. U.S. Office of Personnel Management, No. 25-3033, 2025 WL 2388455 (10th Cir. Aug. 18, 2025)

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