

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

De'Andre Kendrick v. Barns & Noble Book Store Inc.; Barns &
Noble Book Club Inc.

25-CV-10024 (LTS) · No. 25-CV-10024 (LTS) · Decided December 3, 2025

SUMMARY

The United States District Court for the Southern District of New York directs incarcerated plaintiff De’Andre Kendrick to either pay the required filing fees or submit a prisoner authorization to proceed in forma pauperis. The order sets a thirty-day deadline, explains installment payments under the Prison Litigation Reform Act, and warns that failure to comply will result in dismissal.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Laura Taylor Swain
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 3, 2025
DOCKET	25-CV-10024 (LTS)
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner proceeding pro se submitted an application to proceed in forma pauperis but failed to submit the required prisoner authorization.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	De'Andre Kendrick v. Barns & Noble Book Store Inc., Barns & Noble Book Club Inc.

TOPICS

- prisoners rights
- civil procedure

PRACTICE AREAS

- Civil procedure
- Prisoner litigation
- In forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether a prisoner seeking to proceed in forma pauperis must submit a signed prisoner authorization in addition to an IFP application.
2. What procedural consequence should follow when a prisoner fails to submit the required authorization or pay the filing fees.

HOLDINGS

1. A prisoner seeking to commence a civil action without prepayment of fees must submit both a signed IFP application and a prisoner authorization permitting collection of the filing fee from the prisoner's account in installments.
2. When a prisoner has not paid the required fees or submitted the required prisoner authorization, the court may allow a specified period for compliance and may dismiss the action if the prisoner fails to comply within that period.

KEY QUOTATIONS

"If Plaintiff wishes to proceed with this action, within thirty days of the date of this order, Plaintiff must either pay the \$405.00 in fees or complete and submit the attached prisoner authorization."

"If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed."

FACTUAL BACKGROUND

De'Andre Kendrick, who was incarcerated at Westville Correctional Facility, brought the action pro se. He submitted an application to proceed in forma pauperis but did not submit a prisoner authorization permitting withdrawals from his inmate account for installment payments of the filing fee.

PROCEDURAL HISTORY

Plaintiff initiated a federal civil action and submitted an IFP application without the required prisoner authorization. The district court ordered Plaintiff, within thirty days, either to pay the required fees or submit the authorization, warned that failure to comply would result in dismissal, and directed that no summons issue at that time.

DISPOSITION

other

CASES CITED

- *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962)

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