

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Jonathan Yates v. Commissioner of Social Security

Yates · No. 1:25-cv-15737 (KMW) · Decided December 5, 2025

SUMMARY

The United States District Court for the District of New Jersey denies Jonathan Yates’s application to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1). The court concludes that the disclosed assets, together with the undisclosed income of his spouse, do not establish an inability to pay litigation costs, and orders the case closed unless the filing fee is paid within 14 days.

CASE DETAILS

|                       |                                                                                                                                                                                    |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of New Jersey                                                                                                                        |
| WRITING FOR THE COURT | Karen M. Williams                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the District of New Jersey                                                                                                                        |
| DECIDED               | December 5, 2025                                                                                                                                                                   |
| DOCKET                | 1:25-cv-15737 (KMW)                                                                                                                                                                |
| DISPOSITION           | other                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Plaintiff applied to proceed in forma pauperis in an action against the Commissioner of Social Security. The district court reviewed the application under 28 U.S.C. § 1915(a)(1). |
| STANDARD OF REVIEW    | The court reviewed whether plaintiff demonstrated indigence sufficient to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).                                                  |
| PRECEDENTIAL VALUE    | unpublished and nonprecedential district court memorandum opinion and order                                                                                                        |
| PARTIES               | Jonathan Yates v. Commissioner of Social Security                                                                                                                                  |

TOPICS

- costs
- civil procedure

PRACTICE AREAS

- civil procedure
- Social Security

QUESTIONS PRESENTED

1. Whether plaintiff demonstrated sufficient indigence to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).

## HOLDINGS

1. Plaintiff failed to establish that he was unable to pay the costs of litigation because the assets disclosed in his application demonstrated that he could pay the filing fee.

## KEY QUOTATIONS

*“need not be absolutely destitute to proceed in forma pauperis”* (at 1)

*“establish that [she] is unable to pay the costs of [her] suit”* (at 1)

## FACTUAL BACKGROUND

Plaintiff reported biweekly income of \$0 and monthly expenses of approximately \$3,637.26, while stating that his wife was the only household member working without disclosing her income. He disclosed a \$500,000 home, a 2021 Nissan Altima valued at \$23,000, and approximately \$29,000 in cash or checking and savings accounts. He also identified one minor dependent.

## PROCEDURAL HISTORY

Plaintiff filed an application to proceed without prepaying fees or costs. After reviewing the financial information disclosed in the application, the district court denied the application, ordered the clerk to close the file, and allowed plaintiff 14 days to pay the \$405 filing fee to reopen the case.

## DISPOSITION

other

## CASES CITED

- *Douris v. Newtown Borough*, 207 F. App'x 242, 243 (3d Cir. 2006)
- *Hurst v. Shalk*, 659 F. App'x 133, 134 (3d Cir. 2016)

## OPINION

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY CAMDEN VICINAGE | HONORABLE KAREN M. WILLIAMS JONATHAN YATES Plaintiff, i Civil Action ve No, 25-cv-15737 (KMW) COMMISSIONER OF SOCIAL SECURITY, i Defendant. 7 MEMORANDUM OPINION AND ORDER THIS MATTER comes before the Court by way of Plaintiff Jonathan Yates' ("Plaintiff") Application to Proceed in District Court Without Prepaying Fees or Costs (IFP Application") (ECF No. 2) pursuant to 28 U.S.C. § 1915(a)(1); and THE COURT NOTING that, having reviewed Plaintiff's IFP Application (ECF No. 2), Plaintiff declares

that his biweekly income is \$0.00 (IFP Application § 2.) and his monthly expenses total approximately \$3,637.26, (IFP Application { 6).

Plaintiff asserts that his spouse has a monthly income but does not disclose what that income is, instead Plaintiff simply states “my wife is the only one working in the household.” (IFP Application { 7.) Plaintiff lists additional assets that include a home, valued at \$500,000 and a 2021 Nissan Altima, valued at \$23,000. (IFP Application 5). Plaintiff also lists monetary assets of \$29,000 in cash or in a checking or savings account.

(IFP Application § 4.) Plaintiff has one minor dependent. (IFP Application { 7); and WHEREAS, the Third Circuit has held that an application to proceed without paying filing fees is “based on a showing of indigence,” *Douris vy, Newtown Borough, Inc.*, 207 F. App’x 242, 243 (Gd Cir, 2006) (citation omitted); and WHEREAS the Court notes that although a person “need not be absolutely destitute to proceed in forma pauperis,” Plaintiff must nonetheless, “establish that [she] is unable to pay the costs of [her] suit,” *Hurst v. Shalk*, 659 F. App’x 133, 134 Gd Cir.

2016); and THE COURT FINDING that even without declaring Plaintiffs spouse’s monthly income, based on the disclosed assets alone Plaintiff has failed to demonstrate that he cannot pay the costs of litigation, and thus the Court denies the IFP Application. IT IS HEREBY on this bs of December, 2025 ORDERED A. Plaintiff's application to proceed in forma pauperis pursuant to 28 U.S.C. §1915 (ECF No. 2) is hereby DENIED B, The clerk is ordered to close the file.

Plaintiff may submit payment in the amount of \$405 within 14 days from the date of this order to reopen the case without further action from the court C. The Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail, k M. WILLIAMS United States District Judge