

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Meloniece M. Dukes v. Temps Plus Incorporated

No. CV-25-04480-PHX-SHD (D. Ariz. Dec. 11, 2025) · No. No. CV-25-04480-PHX-SHD · Decided December 11, 2025

SUMMARY

The United States District Court for the District of Arizona denied Meloniece Dukes’s application to proceed in forma pauperis because her reported monthly income exceeded her expenses and appeared sufficient to pay the filing fee. The court also noted inconsistencies in Dukes’s financial disclosures in this and other cases and ordered her to pay the filing fee by December 23, 2025, or face dismissal without further notice.

CASE DETAILS

COURT	United States District Court for the District of Arizona
JURISDICTION	United States District Court for the District of Arizona
DECIDED	December 11, 2025
DOCKET	No. CV-25-04480-PHX-SHD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil action and an application to proceed in forma pauperis. The district court denied the application and ordered Plaintiff to pay the filing fee, subject to dismissal if she failed to do so.
STANDARD OF REVIEW	The court reviewed the sufficiency and credibility of the allegations in the IFP application to determine whether Plaintiff demonstrated inability to pay court costs while affording the necessities of life.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Meloniece M. Dukes v. Temps Plus Incorporated

TOPICS

- civil procedure
- motions to dismiss

PRACTICE AREAS

- civil procedure
- in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated that she was unable to pay the court's filing fees while still affording the necessities of life.
2. Whether inconsistencies between Plaintiff's current and prior IFP applications undermined the credibility of her financial assertions.

HOLDINGS

1. Plaintiff's IFP application failed to demonstrate that she was unable to pay the court's filing fees while affording the necessities of life, so the application was properly denied.
2. Material inconsistencies between Plaintiff's current and prior IFP applications undermined the credibility of her current financial assertions and independently supported denial of IFP status.

KEY QUOTATIONS

“An affidavit in support of an IFP application is sufficient where it alleges that the affiant cannot pay the court costs and still afford the necessities of life.” (at 1)

“IT IS ORDERED that Dukes’ IFP Application (Doc. 2) is DENIED.” (at 2)

FACTUAL BACKGROUND

Dukes reported monthly disability income of \$4,158, monthly expenses of \$2,850, ownership of a 2017 Land Rover valued at \$15,000, and three minor dependents. Her reported income exceeded her expenses by \$1,308 per month. The court also noted that her financial disclosures in other District of Arizona cases varied substantially, including differences in age, dependents, income, home ownership, and vehicle ownership.

PROCEDURAL HISTORY

Dukes filed the action and an IFP application on December 4, 2025. The court reviewed the financial information in the application, compared it with inconsistent financial disclosures in other cases, denied IFP status, and ordered payment of the filing fee by December 23, 2025. The court directed the Clerk to dismiss the action without further notice if the fee was not paid.

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226 (9th Cir. 2015)
- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339 (1948)
- Dukes v. United States, 25-cv-1124-PHX-JFM (D. Ariz. May 2025) (Doc. 10)

OPINION

Dukes

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Melonie M Dukes, No. CV-25-04480-PHX-SHD 10 Plaintiff, ORDER 11 v. 12 Temps Plus
Incorporated, 13 Defendant. 14 15 On December 4, 2025, Plaintiff Melonie Dukes filed this
action along with an 16 Application to Proceed In Forma Pauperis (“IFP”). (Docs. 1, 2.) Dukes’
IFP application 17 will be denied. 18 “There is no formula set forth by statute, regulation, or case
law to determine when 19 someone is poor enough to earn IFP status.” *Escobedo v. Applebees*,
787 F.3d 1226, 1235 20 (9th Cir. 2015). “An affidavit in support of an IFP application is sufficient
where it alleges 21 that the affiant cannot pay the court costs and still afford the necessities of
life.” *Id.* at 1234 22 (citing *Adkins v. E.I. Dupont de Nemours & Co.*, 335 U.S. 331, 339 (1948)).
23 Dukes’ IFP application indicates that she is 38 years old and has three dependents, 24 all under
the age of eighteen. (Doc. 2 at 3, 5.) It states that Dukes has a total monthly 25 income of \$4,158
in disability income, owns a 2017 Land Rover valued at \$15,000, and 26 that her monthly
expenses total \$2,850. (*Id.* at 2–5.) Dukes income thus exceeds her 27 expenses by \$1,308 each
month. On the face of Dukes’ IFP application, it appears that she 28 can pay the filing fees and
still afford the necessities of life, and the Court will therefore || deny Dukes’ IFP application. 2
Additionally, the Court notes that Dukes’ reports of her financial status “have varied || widely over
recent months.” *Dukes v. United States*, 25-cv-1124-PHX-JFM, (D. Ariz. May 2025) (Doc. 10)
(order denying Dukes’ IFP application and comparing her contradictory 5 || statements regarding
her financial status in nine different cases in the District of Arizona). 6|| In April 2025, for
example, she stated she was 27 years old with no dependents; had a monthly income of \$4,587 in
retirement income; a home valued at \$750,000; and two 8 || vehicles valued at \$14,000 and
\$40,000. (/d. at 2.) The inconsistencies in Dukes’ various || IFP applications undermine the
credibility of her assertions in the application now before 10 || the Court. Dukes is reminded that
her IFP applications are made under penalty of perjury |} and making a false statement in them
may result in dismissal of her claims, or in 12 || prosecution for perjury. 13 Regardless, because
Duke’s application fails to demonstrate that she is unable to pay the Court’s filing fees, it will be
denied. 15 Accordingly, 16 IT IS ORDERED that Dukes’ IFP Application (Doc. 2) is DENIED.
Dukes shall || pay the filing fee by no later than Tuesday, December 23, 2025. 18 IT IS FURTHER
ORDERED directing the Clerk of Court to enter dismissal of this action without further notice if
Plaintiff fails to pay the filing fee by December 23, 2025. 21 Dated this 11th day of December,
2025. 22 / 23 25 : H le Sharad H. Desai 26 United States District Judge 27 28 _2-