

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, DALLAS DIVISION

Lester E. Washington, Jr. v. Marriott International Inc., et al.

Washington v. Marriott · No. 3:25-cv-02868-S (BT) · Decided January 20, 2026

SUMMARY

A United States magistrate judge recommends denying Lester E. Washington, Jr.’s application to proceed in forma pauperis in his civil action against Marriott International, Inc., and others. The recommendation would dismiss the case without prejudice unless Plaintiff pays the \$405 filing fee within 30 days of an order accepting the recommendation.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
WRITING FOR THE COURT	Seto
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	January 20, 2026
DOCKET	3:25-cv-02868-S (BT)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se, moved for leave to proceed in forma pauperis in a newly filed civil action. The magistrate judge issued findings, conclusions, and a recommendation that the motion be denied and the case dismissed without prejudice unless Plaintiff paid the filing fee.
STANDARD OF REVIEW	The court evaluated whether Plaintiff established that he was unable to pay the filing fee or that payment would cause undue financial hardship under 28 U.S.C. § 1915(a)(1).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Lester E. Washington, Jr. v. Marriott International Inc., et al.

TOPICS

- civil procedure
- costs

PRACTICE AREAS

civil procedure

in forma pauperis

QUESTIONS PRESENTED

1. Whether Plaintiff established under 28 U.S.C. § 1915(a)(1) that he was unable to pay the filing fee or that payment would cause undue financial hardship.
2. Whether the case should be dismissed without prejudice if Plaintiff did not pay the filing fee within 30 days after acceptance of the recommendation.

HOLDINGS

1. Plaintiff did not establish that payment of the \$405 filing fee would cause undue financial hardship, so his motion for leave to proceed in forma pauperis should be denied.
2. The action should be dismissed without prejudice unless Plaintiff pays the \$405 filing fee within 30 days after an order accepting the recommendation.

KEY QUOTATIONS

“The Court should DENY Plaintiffs motion for leave to proceed in forma pauperis (ECF No. 5) and dismiss his case without prejudice unless he pays the \$405.00 filing fee within 30 days of an order accepting this recommendation.”

“This income places him well above the federal poverty threshold for a seven-person household in Texas.”

FACTUAL BACKGROUND

Washington and his spouse reportedly received approximately \$9,500 per month from unemployment and employment. Washington reported owning a home, three vehicles, and approximately \$8,500 in stocks, and reported a gross monthly surplus of approximately \$2,485. The court also found that some reported expenses, including \$375 in credit-card payments, appeared discretionary or excessive and concluded that paying the \$405 filing fee would not cause undue financial hardship.

PROCEDURAL HISTORY

Washington filed a pro se civil action and an application to proceed in forma pauperis. After reviewing the financial information in the application, the United States magistrate judge recommended denying IFP status and dismissing the action without prejudice unless Washington paid the \$405 filing fee within 30 days after an order accepting the recommendation. The recommendation advised the parties of their right to object within 14 days.

DISPOSITION

other

CASES CITED

- Prows v. Kastner, 842 F.2d 138, 140 (5th Cir. 1988)

- Nottingham v. Warden, Bill Clements Unit, 837 F.3d 438, 439-40 (5th Cir. 2016)
- Moates v. Biden, 2022 WL 3566451, at *1 (W.D. Tex. June 29, 2022)
- Powell v. Gov. Federal Rsrv. of New York, 2014 WL 1883672, at *2 (S.D. Miss. May 12, 2014)
- Dobbins v. Kroger Co., 2009 WL 186141, at *2 (N.D. Tex. Jan. 23, 2009)
- Ramsey v. NFI Indus., 2022 WL 707234, at *1 (N.D. Tex. Feb. 18, 2022)
- Douglass v. United Services Automobile Ass'n, 79 F.3d 1415, 1417 (5th Cir. 1996)

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