

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Sullivan v. Pacheco

No. CV-26-00047-TUC-JCH · No. No. CV-26-00047-TUC-JCH · Decided February 4, 2026

SUMMARY

The United States District Court for the District of Arizona denied Jack Sullivan’s application to proceed in forma pauperis because it omitted required employment information and raised questions about reported expenses. The Court gave Sullivan 30 days to pay the filing and administrative fees or submit a complete application, warning that failure to do so would result in dismissal without prejudice.

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 9 Jack Sullivan, No. CV-26-00047-TUC-JCH 10 Plaintiff, ORDER 11 v. 12 Carmen Pacheco, et al., 13 Defendants. 14 15 Before the Court is Plaintiff Jack Sullivan’s Application to Proceed In Forma 16 Pauperis (“IFP”). (Doc. 2).

The Court will deny Plaintiff’s Application because it is 17 incomplete. 18 All parties instituting any civil action, suit, or proceeding in a district court of the 19 United States, except an application for writ of habeas corpus, must pay a filing fee of 20 \$350.00. See 28 U.S.C. § 1914(a). An action may proceed despite a plaintiff’s failure to 21 prepay the entire fee only if the plaintiff is granted leave to proceed IFP under 28 U.S.C. 22 § 1915(a).

See *Rodriguez v. Cook*, 169 F.3d 1176, 1177 (9th Cir. 1999). Arizona Local 23 Rule of Civil Procedure (“LRCiv.”) 3.3(a) sets requirements for IFP applications. As 24 pertinent here, LRCiv. 3.3(a)(1) requires the application contain “[a] statement as to current 25 employment including the amount of wages or salary per month and the name of the current 26 employer.” 27 In Plaintiff’s Application, he records take home pay of \$800.00 per month, \$20.00 28 in cash or bank account, and regular monthly expenses for food and utilities totaling 1 || \$800.00 per month.

Plaintiff’s Application is incomplete because he does not provide the 2|| name of his employer and the employer’s address, as required by LRCiv. 3.3(a)(1). The 3|| Court is also unsure how Plaintiff pays \$300.00 in utilities per month when Plaintiff does 4|| not report owning any real estate nor a regular rental expense.

The Court will thus deny || Plaintiff’s Application because it is incomplete. 6 Accordingly, 7 IT IS ORDERED denying the Application to Proceed In Forma Pauperis (Doc. 2). 8 || Within 30 days of

the date this Order is filed, Plaintiff must either pay the \$350.00 filing fee and \$55.00 administrative fee or file a complete Application to Proceed In Forma Pauperis.

IT IS FURTHER ORDERED that if Plaintiff fails to either pay the \$350.00 filing fee and \$55.00 administrative fee or file a complete Application to Proceed In Forma Pauperis within 30 days, the Clerk of Court must enter a judgment of dismissal of this action without prejudice and without further notice to Plaintiff. Dated this 3rd day of February, 2026.

16 17 f 4) 19 // John C. Hinderaker /United States District Judge 20 21 22 23 24 25 26 27 28 -2-