

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Wells v. Wallace

Wells · No. 1:25-cv-01679-BAM (PC) · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Marlin Wells’s motion to proceed in forma pauperis in a civil rights action under 42 U.S.C. § 1983. The court finds that Wells, a civil detainee appearing pro se, is unable to afford the costs of the action and is not a prisoner under the Prison Litigation Reform Act.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 19, 2025
DOCKET	1:25-cv-01679-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed in forma pauperis in a civil-rights action under 42 U.S.C. § 1983.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Marlin Wells v. Wallace

TOPICS

- civil rights
- section 1983
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner and civil detainee litigation

QUESTIONS PRESENTED

- Whether Plaintiff, a civil detainee, may proceed in forma pauperis after the court determines that he cannot afford the costs of the action.

2. Whether civil detainees detained under California Welfare and Institutions Code § 6600 et seq. are prisoners within the meaning of the Prison Litigation Reform Act.

HOLDINGS

1. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act.
2. Plaintiff's motion to proceed in forma pauperis was granted because the court determined that he was unable to afford the costs of the action.

KEY QUOTATIONS

“Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act.” (at 1)

“Examination of these documents reveals that Plaintiff is unable to afford the costs of this action.” (at 1)

FACTUAL BACKGROUND

Plaintiff Marlin Wells is a civil detainee proceeding pro se in a civil-rights action under 42 U.S.C. § 1983. The court identified him as detained under California Welfare and Institutions Code § 6600 et seq. and therefore not a prisoner within the meaning of the Prison Litigation Reform Act. Plaintiff filed a motion to proceed in forma pauperis, and the court determined from the motion documents that he was unable to afford the costs of the action.

PROCEDURAL HISTORY

Marlin Wells filed a § 1983 civil-rights action and moved to proceed in forma pauperis. The district court examined the motion and supporting documents, found that Plaintiff could not afford the costs of the action, and granted the motion.

DISPOSITION

other

CASES CITED

- Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000)

OPINION

Wallace

PER CURIAM.

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6 UNITED STATES DISTRICT COURT

7 EASTERN DISTRICT OF CALIFORNIA

8 9 MARLIN WELLS, Case No. 1:25-cv-01679-BAM (PC) 10 Plaintiff, ORDER GRANTING

MOTION TO

PROCEED IN FORMA PAUPERIS AS A

11 v. NON-PRISONER

12 WALLACE, (ECF No. 6)

13 Defendant. 14

15 Plaintiff Marlin Wells (“Plaintiff”) is a civil detainee appearing pro se in this civil rights 16
action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and 17
Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the
18 Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000). 19 Currently
before the Court is Plaintiff’s motion for leave to proceed in forma pauperis, 20 filed December
18, 2025. (ECF No. 6.) Examination of these documents reveals that Plaintiff is 21 unable to
afford the costs of this action. Accordingly, the motion to proceed in forma pauperis, 22 (ECF No.
6), is HEREBY GRANTED. 23 IT IS SO ORDERED. 24 25 Dated: December 19, 2025 /s/
Barbara A. McAuliffe _

UNITED STATES MAGISTRATE JUDGE

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