

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.

OPINION

1 2 3 4 5 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 26 27 28