

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

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**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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