

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Emma Dunn and Alana Dunn v. Marclite Electrical Corporation, et
al.**

Dunn · No. 1:25-cv-00565-JLT-BAM · Decided July 15, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered Plaintiffs Emma Dunn and Alana Dunn to either pay one \$405 filing fee or each submit an application to proceed in forma pauperis within 21 days. The court directed the Clerk to provide two applications and warned that failure to comply would result in a recommendation to dismiss the action.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 EMMA DUNN and ALANA DUNN, Case No. 1:25-cv-00565-JLT-BAM 12
Plaintiffs, ORDER REQUIRING PLAINTIFFS EMMA DUNN AND ALANA DUNN TO 13 v.
SUBMIT APPLICATIONS TO PROCEED IN FORMA PAUPERIS OR PAY ONE 14
MARCLITE ELECTRICAL FILING FEE WITHIN 21 DAYS CORPORATION, et al., 15
ORDER DIRECTING CLERK OF COURT Defendants.

TO FORWARD TWO IN FORMA 16 PAUPERIS APPLICATIONS 17 TWENTY-ONE DAY
DEADLINE 18 19 Plaintiffs Emma Dunn and Alana Dunn are each proceeding pro in this action
filed on 20 May 12, 2025. Plaintiffs have not paid the \$405.00 filing fee nor have they submitted
21 applications to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. 22 To proceed in this
action, Plaintiffs must either (1) pay one \$405.00 filing fee, or (2) both 23 Plaintiffs may submit
applications to proceed in forma pauperis.

See Dupont v. Sterling Family 24 Trust, No. 2:23-cv-09785-SVW-AS, 2024 WL 589880, at * 1
(C.D. Cal. Jan. 19, 2024) (noting 25 only one filing fee needs to be paid in a multiple-plaintiff
case); Darden v. Indymac Bancorp, 26 Inc., No. CIV S-09-2970 JAM DAD PS, 2009 WL
5206637, at *1 (E.D. Cal. Dec. 23, 2009) 27 (“Where there are multiple plaintiffs in a single
action, the plaintiffs may not proceed in forma 28 1 pauperis unless all of them demonstrate
inability to pay the filing fee.”) Although Plaintiffs’ 2 recently filed complaint includes statements
regarding an inability to proceed in forma pauperis, 3 it is not clear to the Court whether those
statements pertain to one or both Plaintiffs.

(See Doc. 7.) 4 Further, the purported financial information included in the complaint also is not sufficient for the 5 Court to determine if each Plaintiff is entitled to proceed in forma pauperis in this action. (Id.) 6 Accordingly, IT IS HEREBY ORDERED that: 7 1.

The Clerk's Office shall send to Plaintiffs two applications to proceed in forma 8 pauperis; 9 2. Within twenty-one (21) days of the date of service of this order, Plaintiffs shall 10 either (1) pay one \$405.00 filing fee for this action; or (2) Plaintiffs Emma Dunn and Alana Dunn 11 shall each submit one of the attached applications to proceed in forma pauperis, completed and 12 signed; 13 3.

No requests for extensions will be granted absent a showing of good cause; and 14 3. Failure to comply with this order will result in a recommendation for 15 dismissal of this action. 16 IT IS SO ORDERED. 17 18 Dated: July 15, 2025 /s/ Barbara A. McAuliffe _ UNITED STATES MAGISTRATE JUDGE 19 20 21 22 23 24 25 26 27 28