

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, CORPUS CHRISTI DIVISION

Jeffrey Poffenbarger v. PennyMac Loan Services, LLC

Poffenbarger · No. 2:26-CV-00022 · Decided April 2, 2026

SUMMARY

The United States District Court for the Southern District of Texas adopted a magistrate judge’s Memorandum and Recommendation recommending denial of Jeffrey Poffenbarger’s application to proceed in forma pauperis. The court denied the application and ordered Plaintiff to pay the filing fee within twenty days or voluntarily dismiss the petition, warning that nonpayment could result in dismissal for failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Corpus Christi Division
JURISDICTION	United States District Court for the Southern District of Texas, Corpus Christi Division
DECIDED	April 2, 2026
DOCKET	2:26-CV-00022
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Memorandum and Recommendation recommending denial of Plaintiff's application to proceed in forma pauperis. No timely objections were filed.
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's memorandum and recommendation, the district court reviews the record for clear error on its face and may accept the recommendation.
PRECEDENTIAL VALUE	Unknown
PARTIES	Jeffrey Poffenbarger v. PennyMac Loan Services, LLC

TOPICS

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Memorandum and Recommendation when no timely objections were filed.
2. Whether Plaintiff's application to proceed in forma pauperis should be denied.

HOLDINGS

1. When no timely objection to a magistrate judge's memorandum and recommendation is filed, the district court need only determine whether there is clear error on the face of the record before accepting the recommendation.
2. Plaintiff's application to proceed in forma pauperis is denied.

KEY QUOTATIONS

“When no timely objection to a magistrate judge’s memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge’s memorandum and recommendation.” (1)

“Accordingly, Plaintiff’s application to proceed in forma pauperis (D.E. 14) is DENIED.” (2)

FACTUAL BACKGROUND

Plaintiff sought leave to proceed in forma pauperis. A magistrate judge recommended denial of the application, and Plaintiff received notice and an opportunity to object but did not timely object. The district court reviewed the recommendation and the record and adopted the magistrate judge's findings and conclusions.

PROCEDURAL HISTORY

Plaintiff filed an application to proceed in forma pauperis. Magistrate Judge Julie K. Hampton recommended denying the application on February 27, 2026. After notice and an opportunity to object, Plaintiff filed no timely objections, and the district court adopted the recommendation and denied the application.

DISPOSITION

other

CASES CITED

- *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005)
- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT April 02, 2026 SOUTHERN DISTRICT OF TEXAS
Nathan Ochsner, Clerk CORPUS CHRISTI DIVISION JEFFREY POFFENBARGER, § §
Plaintiff, § § VS. § CIVIL ACTION NO. 2:26-CV-00022 § PENNYMAC LOAN SERVICES,
LLC § ORDER ADOPTING MEMORANDUM AND RECOMMENDATION TO DENY
APPLICATION FOR LEAVE TO PROCEED IN FORMA PAUPERIS Pending before the Court is
Plaintiff's Application to Proceed In Forma Pauperis (D.E.

14). On February 27, 2026, United States Magistrate Judge Julie K. Hampton issued a
Memorandum and Recommendation (D.E. 15), recommending that Plaintiff's application be
denied. Plaintiff was provided proper notice of, and opportunity to object to, the Magistrate
Judge's memorandum and recommendation. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); General
Order No. 2002-13.

No objections have been timely filed. When no timely objection to a magistrate judge's
memorandum and recommendation is filed, the district court need only satisfy itself that there is
no clear error on the face of the record and accept the magistrate judge's memorandum and
recommendation. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglas*
v. United Servs.

Auto Ass'n, 79 F.3d 1415, 1420 (5th Cir. 1996)). Having reviewed the findings of fact,
conclusions of law, and recommendations set forth in the Magistrate Judge's memorandum and
recommendation and all other relevant 1 / 2 documents in the record, the Court ADOPTS as its
own the findings and conclusions of the Magistrate Judge.

Accordingly, Plaintiff's application to proceed in forma pauperis (D.E. 14) is DENIED. Plaintiff is
ORDERED to pay the filing fee within twenty (20) days of the date of this Order or to voluntarily
dismiss the petition. Plaintiff is advised that failure to pay the filing fee within the time period
ordered may result in dismissal of the complaint for failure to prosecute.

ORDERED on April 2, 2026. UNITED STATES DISTRICT JUDGE 2/2