

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Tony Taylor Jr. v. Akron Metropolitan Housing Authority, et al.

Taylor · No. 5:25CV1882 · Decided November 25, 2025

SUMMARY

The United States District Court for the Northern District of Ohio denied Tony Taylor Jr.’s application to proceed in forma pauperis because he failed to provide the required detailed financial information. The court dismissed the action without prejudice for failure to prosecute and certified that an appeal could not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Benita Y. Pearson
JURISDICTION	United States District Court for the Northern District of Ohio
DECIDED	November 25, 2025
DOCKET	5:25CV1882
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a civil action and sought leave to proceed in forma pauperis. After the Court ordered him to either pay the filing fee or submit a complete AO 239 application, he failed to comply, and the Court denied the application and dismissed the action without prejudice for failure to prosecute.
STANDARD OF REVIEW	The Court exercised its discretion in evaluating whether Plaintiff demonstrated inability to pay under 28 U.S.C. § 1915 and whether dismissal for failure to prosecute was warranted.
PRECEDENTIAL VALUE	unknown

TOPICS

- civil procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated that he was unable to pay the filing fee and therefore qualified to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).
2. Whether the action should be dismissed without prejudice for Plaintiff's failure to comply with the Court's order and failure to prosecute.

HOLDINGS

1. Plaintiff was not entitled to proceed in forma pauperis because he failed to provide the specific information necessary to demonstrate that he was unable to pay the filing fee.
2. The action was properly dismissed without prejudice for failure to prosecute after Plaintiff failed to comply with the order requiring payment of the filing fee or submission of a complete in forma pauperis application.

KEY QUOTATIONS

"Proceeding in forma pauperis is a privilege, and not a right."

"The Court takes very seriously a request to proceed with litigation at taxpayer expense"

FACTUAL BACKGROUND

Tony Taylor Jr. filed a civil action without paying the filing fee and submitted a self-created form seeking in forma pauperis status. His form described his income, bank account, vehicle, and utility expenses only in vague terms such as "\$0 or limited," "minimal balance," and "low-value." After the Court ordered him to pay the filing fee or complete the AO 239 long-form application with specific information, he failed to comply or seek an extension.

PROCEDURAL HISTORY

Plaintiff submitted a self-created in forma pauperis application that provided only generalized descriptions of his financial circumstances. The Court ordered him to pay the \$405 filing fee or truthfully and thoroughly complete an AO 239 application within 30 days and warned that noncompliance could result in dismissal. Plaintiff did neither and did not request an extension of time, so the Court denied his application and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Foster v. Cuyahoga Dep't of Health & Human Servs.*, 21 Fed. Appx. 239, 240 (6th Cir. 2001)

- Maddox v. Foley, No. 3:23-cv-48, 2023 WL 3852943, at *1 (S.D. Ohio May 10, 2023)
- Behmlander v. Comm’r of Soc. Sec., No. 12-CV-14424, 2012 WL 5457466, at *2 (E.D. Mich. Oct. 16, 2012)
- Wilson v. Yaklich, 148 F.3d 596, 603 (6th Cir. 1998)

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