

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, NORTHERN DIVISION

Brandy Rose Jones v. Jackson Public School District

Jones · No. 3:26-CV-162-KHJ-MTP · Decided April 24, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopts a magistrate judge’s report and recommendation and denies Brandy Rose Jones’s motions to proceed in forma pauperis. The court finds that Jones can pay the filing fee without undue hardship and orders her to pay it within 60 days, warning that the action may otherwise be dismissed without prejudice. The court also finds one additional in forma pauperis motion moot because it was superseded by a later motion.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Northern Division
JURISDICTION	United States District Court for the Southern District of Mississippi, Northern Division
DECIDED	April 24, 2026
DOCKET	3:26-CV-162-KHJ-MTP
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation concerning the pro se plaintiff's motions to proceed in forma pauperis. The plaintiff did not object to the report and filed additional in forma pauperis applications.
STANDARD OF REVIEW	Because no objections were filed to the magistrate judge's report and recommendation, the district court stated that de novo review was unnecessary and applied the clearly erroneous, abuse-of-discretion, and contrary-to-law standards.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- family and medical leave act

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to deny Jones in forma pauperis status was clearly erroneous, an abuse of discretion, or contrary to law when Jones did not object.
2. Whether Jones's subsequent in forma pauperis application established that paying the filing fee would impose an undue hardship.

HOLDINGS

1. When no party objects to a magistrate judge's report and recommendation, de novo review is not required; the district court may review the report under the clearly erroneous, abuse-of-discretion, and contrary-to-law standards. The report was not clearly erroneous, an abuse of discretion, or contrary to law, so the court adopted it.
2. Jones did not qualify for in forma pauperis status because her reported income, ongoing support and public assistance, expected return to work, and monthly expenses showed that she could pay the filing fee and costs without undue hardship if given a reasonable time to do so.

KEY QUOTATIONS

“But Jones’s repackaged financial picture does not warrant IFP status.”

“Comparing Jones’s income and her impending employment against her monthly expenses, the Court finds that Jones can pay the filing fee and costs without undue hardship if given a reasonable amount of time to do so.”

FACTUAL BACKGROUND

Brandy Rose Jones sued the Jackson Public School District, her former employer, alleging a violation of the Family and Medical Leave Act. She reported receiving more than \$20,000 in income in March 2026, along with ongoing child support and public assistance, and stated that she expected to return to work in July 2026. Based on her reported income, expected employment, and monthly expenses, the court found that she could pay the filing fee and costs without undue hardship if given a reasonable period to do so.

PROCEDURAL HISTORY

Jones filed an action against her former employer alleging violation of the Family and Medical Leave Act and moved to proceed in forma pauperis. After the initial application contained errors, the court ordered a new application. The magistrate judge recommended denying in forma pauperis status, allowing Jones 60 days to pay the filing costs, and dismissing the action without prejudice if she failed to do so. The district court adopted the recommendation, denied the relevant applications, denied the later application, found an intervening application moot, and ordered payment within 60 days.

DISPOSITION

other

CASES CITED

- 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

Jones

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF MISSISSIPPI

NORTHERN DIVISION

BRANDY ROSE JONES PLAINTIFF

V. CIVIL ACTION NO. 3:26-CV-162-KHJ-MTP

JACKSON PUBLIC SCHOOL DEFENDANT

DISTRICT

ORDER

This matter is before the Court on pro se Plaintiff Brandy Rose Jones’s (“Jones”) [2, 4, 6, 7] Motions for Leave to Proceed in forma pauperis (“IFP”) and United States Magistrate Judge Michael T. Parker’s [5] Report and Recommendation. For the following reasons, the Court adopts the [5] Report, denies the [2, 4, 7] Motions, and finds as moot the [6] Motion. I. Background Jones sued the Jackson Public School District—her former employer—for violating the Family and Medical Leave Act. Compl. [1] at 1. She also moved for leave to proceed IFP. 03/11/2026 IFP Mot. [2]. Because Jones’s [2] Motion contained multiple errors, the Court ordered Jones to submit another application. Order [3]. She complied. 03/30/2026 IFP Mot. [4]. On April 1, 2026, Magistrate Judge Parker issued the [5] Report recommending that the Court deny Jones’s [2, 4] Motions. R. & R. [5] at 3. Jones has not objected to the [5] Report. She has, however, filed two more IFP applications. 04/15/2026 IFP Mot. [6]; 04/15/2026 Am. IFP Mot. [7].¹ II. Analysis The Court first considers the [5] Report. Then it addresses Jones’s [7] Motion. A. [5] Report and Recommendation The [5] Report concludes that Jones’s financial status “should allow her to pay the filing fee in order to commence this action without undue hardship if given a reasonable amount of time to tender the requisite amount.” [5] at 3. Accordingly, the [5] Report recommends (1) denying Jones IFP status, (2) giving her 60 days to pay all costs associated with the filing of this lawsuit, and (3) dismissing this action without prejudice and without further notice if she fails to timely pay those costs. The [5] Report notified Jones that failure to file written objections within 14 days would bar further appeal in accordance with 28 U.S.C. § 636. . Jones did not object to the [5] Report, and the time to do so has passed. When no party objects to a magistrate judge’s report, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). Instead, the Court can apply the

clearly erroneous, abuse-of-discretion, and contrary-to-law standards of review. , 864 F.2d 1219, 1221 (5th Cir. 1989). 1 Because the [7] Motion superseded the [6] Motion, the Court finds as moot the [6] Motion. The Court finds that the [5] Report is not clearly erroneous, an abuse of discretion, or contrary to law. So the Court adopts the [5] Report as its opinion and denies Jones's [2, 4] Motions. B. Jones's [7] Motion Next the Court considers Jones's [7] Motion. Jones frames her finances differently than in her [4] Motion, but the substance is the same. And she still does not qualify for IFP status. In her [4] Motion—the one the Court denied above—Jones stated that in March 2026 she received \$8,988.09 in “income tax” and \$8,829.72 as an “emergency withdraw” from “Retirement.” [4] at 2. She also received \$1,080.00 in unspecified gifts, \$485.00 in child support, and \$1,650.00 in “food stamps.” . at 1–2. Based on this information, the [5] Report concluded that Jones had more than enough income to cover her monthly expenses for several months and that it would not be an undue hardship for her to pay the filing fee here. [5] at 2–3. Now Jones paints a slightly different picture of her finances. [7]. She still receives child support and public assistance. . at 1–2. And she still admits having received the sizeable “income tax” and “emergency” retirement income that she disclosed in her [4] Application. . at 2. But now, rather than presenting the income-tax and emergency-retirement income as a lump-sum amount, she divides it by twelve and presents it as monthly income. . at 2. But Jones's repackaged financial picture does not warrant IFP status. Jones's latest application—her fourth attempt at IFP status—is difficult to decipher. Her calculations are confusing, and the application is riddled with mark-throughs and corrections. What is clear though is that Jones received more than \$20,000 in income in March 2026. She also receives ongoing child support and public assistance. . at 1–2. And she says she will return to work in July 2026. . at 5. Comparing Jones's income and her impending employment against her monthly expenses, the Court finds that Jones can pay the filing fee and costs without undue hardship if given a reasonable amount of time to do so. III. Conclusion For the stated reasons, the Court ADOPTS the [5] Report, DENIES Jones's [2, 4, 7] Motions, and finds as MOOT the [6] Motion. The Court ORDERS Jones to pay the filing fee within 60 days of the entry of this Order. She may pay the filing fee to the Clerk of Court, United States District Court, 501 East Court Street, Suite 2.500, Jackson, Mississippi 39201. She must specify that the payment is for the filing fee in this case, No. 3:26-CV-162-KHJ-MTP. The Court may dismiss the case without further notice if the Clerk of Court does not receive the filing fee within 60 days. The Court has liberally construed the pleadings and considered all arguments. Those it does not address would not have changed the outcome. SO ORDERED, this 24th day of April, 2026. s/ UNITED STATES DISTRICT JUDGE