

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Perrielin Sessions v. Solano County Health and Social Services, et al.

No. 2:25-cv-2936-DAD-CKD (PS) · No. No. 2:25-cv-2936-DAD-CKD (PS) · Decided November 20, 2025

SUMMARY

The United States District Court for the Eastern District of California denies without prejudice Perrielin Sessions’s application to proceed in forma pauperis because the application does not specify the frequency of the plaintiff’s reported pay periods. The court orders the plaintiff, within 30 days, to pay the filing and administrative fees or submit a completed and signed renewed IFP affidavit, warning that failure to do so may result in a recommendation of dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 20, 2025
DOCKET	No. 2:25-cv-2936-DAD-CKD (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a complaint and an application to proceed in forma pauperis. The court considered the application and denied it without prejudice.
STANDARD OF REVIEW	The court reviewed the sufficiency of the application under 28 U.S.C. § 1915(a), requiring an affidavit demonstrating inability to pay court fees.
PRECEDENTIAL VALUE	Nonprecedential procedural order
PARTIES	Perrielin Sessions v. Solano County Health and Social Services, et al.

TOPICS

civil procedure

PRACTICE AREAS

civil procedure in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether plaintiff's application to proceed in forma pauperis demonstrated an inability to pay the filing and administrative fees under 28 U.S.C. § 1915(a).

HOLDINGS

1. An in forma pauperis application does not demonstrate indigency when the applicant reports income by pay period but fails to identify the frequency of that pay period, leaving the court unable to calculate income.

KEY QUOTATIONS

“An affidavit in support of an IFP application is sufficient where it alleges that the affiant cannot pay the court costs and still afford the necessities of life.” (1)

“While § 1915(a) does not require a litigant to demonstrate “absolute destitution,” Adkins, 335 U.S. at 339, the applicant must nonetheless show inability to pay.” (1)

FACTUAL BACKGROUND

Plaintiff sought permission to proceed without prepaying court fees. The affidavit reported gross pay of \$2,000 and take-home pay of \$1,500 per pay period, but did not state whether the pay period was monthly, biweekly, or another interval. Because the court could not calculate plaintiff's income from the incomplete information, it found that the affidavit did not demonstrate indigency.

PROCEDURAL HISTORY

Plaintiff initiated the action by filing a complaint and an application to proceed in forma pauperis. The magistrate judge determined that the financial information in the affidavit was incomplete because plaintiff did not identify the frequency of the reported pay periods, preventing the court from calculating income. The application was denied without prejudice, with leave to renew or pay the filing and administrative fees.

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1234 (9th Cir. 2015)
- Adkins v. E.I. Du Pont de Nemours & Co., Inc., 335 U.S. 331, 339 (1948)
- United States v. McQuade, 647 F.2d 938, 940 (9th Cir. 1981)