

**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

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 PERRIELIN SESSIONS, No. 2:25-cv-2936-DAD-CKD (PS) 12 Plaintiff,
13 v. ORDER 14 SOLANO COUNTY HEALTH AND 15 SOCIAL SERVICES, et al., 16
Defendants. 17 18 19 Plaintiff Perrielin Sessions proceeds without counsel and seeks to proceed in
forma 20 pauperis. This matter is before the undersigned pursuant to Local Rule 302(c)(21).

See 28 U.S.C. 21 § 636(b)(1). Plaintiff initiated this action with a complaint and an application to
proceed in forma 22 pauperis (“IFP”). (ECF Nos. 1, 2.) 23 Presently, the applicable court costs
include a \$350.00 filing fee and \$55.00 administrative 24 fee.

The court may authorize the commencement of an action “without prepayment of fees” by an 25
individual who submits an affidavit evidencing an inability to pay such fees. 28 U.S.C. § 1915(a).
26 “An affidavit in support of an IFP application is sufficient where it alleges that the affiant
cannot 27 pay the court costs and still afford the necessities of life.” *Escobedo v. Applebees*, 787
F.3d 1226, 28 1 | 1234 (9th Cir.

2015) (citing *Adkins v. E.I. Du Pont de Nemours & Co., Inc.*, 335 U.S. 331, 339 2 | (1948)); see
also *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981) (affidavit must 3 || “state the
facts as to affiant’s poverty with some particularity, definiteness and certainty” (internal 4 ||
quotation omitted)). 5 According to the plaintiff's affidavit, plaintiff receives \$2000.00 in gross
pay and 6 || \$1,500.00 in take home pay each pay period.

However, plaintiff did not specify whether the pay 7 || period is monthly, biweekly, or some other
frequency. While § 1915(a) does not require a litigant 8 || to demonstrate “absolute destitution,”
Adkins, 335 U.S. at 339, the applicant must nonetheless 9 || show inability to pay the fees. 28
U.S.C. § 1915(a).

The current application does not allow the 10 || court to calculate plaintiff's income and therefore
does not demonstrate indigency. The 11 | application to proceed IFP will be denied without
prejudice to plaintiff re-filing a fully completed 12 || application.

In the alternative, plaintiff may submit the court costs the Clerk of the Court to 13 || proceed with
this case. 14 For the reasons set forth above, IT IS ORDERED as follows: 15 1. Plaintiff's
application to proceed IFP (ECF No. 2) is DENIED without prejudice to 16 renewal. 17 2. Within

thirty (30) days from the date of this order, plaintiff shall either pay the filing 18 fee and administrative fee or file a fully completed and signed affidavit to proceed 19 without prepayment of fees.

20 3. Plaintiff is cautioned that failure to pay the court costs or file a renewed IFP affidavit 21 will result in a recommendation that this case be dismissed. 22 | Dated: November 20, 2025 / ae / 4 [iy ai 24 UNITED STATES MAGISTRATE JUDGE 25 | Bse25ev2936.fp 27 28