

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lance Williams v. N. Vera, et al.

Williams v. Vera · No. 1:25-cv-01246-SKO · Decided September 24, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Lance Williams’s application to proceed in forma pauperis in a civil rights action under 42 U.S.C. § 1983. The court finds that Williams demonstrated an inability to pay the filing fee and directs that the complaint be screened pursuant to 28 U.S.C. § 1915(e).

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 24, 2025
DOCKET	1:25-cv-01246-SKO
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se civil rights action under 42 U.S.C. § 1983 and applied to proceed in forma pauperis. The district court considered the application before screening the complaint.
STANDARD OF REVIEW	The decision whether to grant or deny an application to proceed without prepayment of fees is committed to the district court's discretion.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- civil procedure
- section 1983
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights
- in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated under 28 U.S.C. § 1915(a)(1) that he was unable to pay the filing fee or give security therefor.
2. Whether the Prison Litigation Reform Act's prisoner filing-fee and three-strikes provisions applied to Plaintiff.

HOLDINGS

1. Because Plaintiff was not in custody when he commenced the action and did not indicate that he was incarcerated, the prisoner-specific filing-fee provisions of 28 U.S.C. § 1915(b) and the three-strikes bar in § 1915(c) did not apply.
2. Plaintiff demonstrated that he was unable to pay the filing fee or give security therefor, and his application to proceed in forma pauperis was properly granted.

KEY QUOTATIONS

“The right to proceed without prepayment of fees in a civil case is a privilege and not a right.” (at 2)

“A plaintiff need not be destitute to proceed IFP” (at 2)

“Plaintiff’s application to proceed IFP (Doc. 2) is GRANTED.” (at 3)

FACTUAL BACKGROUND

Plaintiff stated that he was unemployed, received \$220 per month in welfare benefits and \$250 in food stamps, and had only \$2 in cash or financial accounts. He reported that he was homeless or sometimes stayed in hotel rooms, had limited monthly expenses, supported his grandniece when possible, and had a \$53,000 student-loan obligation.

PROCEDURAL HISTORY

Lance Williams commenced the action and filed an application to proceed in forma pauperis on September 22, 2025. The district court granted the application and stated that the complaint would be screened in due course.

DISPOSITION

other

CASES CITED

- Andrews v. King, 398 F.3d 1113, 1122 (9th Cir. 2005)
- Rowland v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 198 n.2 (1993)
- Franklin v. Murphy, 745 F.2d 1221, 1231 (9th Cir. 1984)
- Neitzke v. Williams, 490 U.S. 319 (1989)
- Adkins v. E.I. Du Pont de Nemours & Co., 335 U.S. 331, 339 (1948)
- Escobedo v. Applebees, 787 F.3d 1226, 1236 (9th Cir. 2015)

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