

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lukas Elijah Henderson and Betty Ann Henderson v. Americore
Humanology, et al.

Henderson v. Americore Humanology · No. 1:25-cv-01428-JLT-EPG · Decided October 28, 2025

SUMMARY

The United States District Court for the Eastern District of California directs Plaintiffs Lukas Elijah Henderson and Betty Ann Henderson to supplement their incomplete application to proceed in forma pauperis. The Court requires submission of a completed long-form application or payment of the filing fee within 30 days and warns that failure to comply may result in 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	October 28, 2025
DOCKET	1:25-cv-01428-JLT-EPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs filed a civil action and an application to proceed in forma pauperis. The district court found the application incomplete and ordered Plaintiffs to submit a supplemental long-form application or pay the filing fee.
PRECEDENTIAL VALUE	Unknown; district court order

TOPICS

civil procedure pleadings

PRACTICE AREAS

civil procedure in forma pauperis proceedings

QUESTIONS PRESENTED

- Whether the court could require Plaintiffs to supplement an incomplete application to proceed in forma pauperis before determining eligibility under 28 U.S.C. § 1915(a)(1).

HOLDINGS

1. An in forma pauperis application that omits required information about assets, employment, income sources, and expenses may be required to be supplemented before the court determines whether the applicant is unable to pay the filing fee.

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)
- “it is proper and indeed essential for the supporting affidavits to state the facts as to affiant’s poverty with some particularity, definiteness and certainty.” (1)

FACTUAL BACKGROUND

Lukas Elijah Henderson and Betty Ann Henderson filed a civil action on October 27, 2025, accompanied by an application to proceed in forma pauperis. Only Lukas Henderson signed the application. The application left several required questions unanswered and reported wages and self-employment without identifying the employer, source of money, or relevant expenses.

PROCEDURAL HISTORY

Plaintiffs filed the action and an in forma pauperis application on October 27, 2025. The court determined that the application omitted required information concerning incarceration, employment, income sources, housing, transportation, utilities, loan payments, and other monthly expenses. The court directed Plaintiffs to submit a completed and signed supplemental application within thirty days or pay the \$405 filing fee, warning that failure to comply could result in dismissal.

DISPOSITION

other

CASES CITED

- Flores v. California Corr. Women's Facility, No. 1:19-cv-1509-NONE-JLT, 2020 WL 8821643, at *1 (E.D. Cal. June 24, 2020)
- Escobedo v. Applebees, 787 F.3d 1226, 1234-35 (9th Cir. 2015)
- United States v. McQuade, 647 F.2d 938, 940 (9th Cir. 1981)
- Jefferson v. United States, 277 F.2d 723, 725 (9th Cir. 1960)

OPINION

Lukas Elijah Henderson and Betty Ann Henderson v. Americore Humanology
PER CURIAM.

8 EASTERN DISTRICT OF CALIFORNIA

9 HENDERSON, et al., Case No. 1:25-cv-01428-JLT-EPG 10 Plaintiffs,

11 ORDER DIRECTING PLAINTIFF TO

v. SUPPLEMENT IN FORMA PAUPERIS

12 APPLICATION

AMERICORE HUMANOLOGY, et al., 13 (ECF No. 2). Defendants. 14 15 16 Plaintiffs Lukas
Elijah Henderson and Betty Ann Henderson filed this civil action on 17 October 27, 2025. (ECF
No. 1). With the filing of the complaint, Plaintiffs¹ submitted an 18 application to proceed in
forma pauperis (IFP) (ECF No. 2). 19 Under 28 U.S.C. § 1915(a)(1), a pro se plaintiff may
proceed without prepayment of fees 20 by submitting “an affidavit that includes a statement of all
assets such [person] possesses that the 21 person is unable to pay such fees or give security
therefor.” See *Flores v. California Corr. 22 Women’s Facility*, No. 1:19-cv-1509-NONE-JLT, 2020
WL 8821643, at *1 (E.D. Cal. June 24, 23 2020) (noting that § 1915(a)(1) applies to non-prisoner
plaintiffs). “[T]here is no formula set forth 24 by statute, regulation, or case law to determine when
someone is poor enough to earn IFP status.” 25 *Escobedo v. Applebees*, 787 F.3d 1226, 1235 (9th
Cir. 2015). Rather, “[a]n affidavit in support of 26 an IFP application is sufficient where it alleges
that the affiant cannot pay the court costs and still 27 28 1 Plaintiff Lukas Elijah Henderson’s
signature is the only individual who signed IFP application. 1 afford the necessities of life.” *Id.* at
1234. However, “it is proper and indeed essential for the 2 supporting affidavits to state the facts
as to affiant’s poverty with some particularity, definiteness 3 and certainty.” *United States v.*
McQuade, 647 F.2d 938, 940 (9th Cir. 1981) (quoting *Jefferson v. 4 United States*, 277 F.2d 723,
725 (9th Cir. 1960)). With these standards in mind, the Court notes that Plaintiffs IFP application
leaves many 5 of the required questions unanswered. Plaintiff did not answer Question 1: “If
incarcerated. I am 6 being held at?” (ECF No. 2, p. 1). Nor did he provide an answer to Question
2: “If not 7 incarcerated. If I am employed, my employer’s name and address are.” (*Id.*). Notably,
while 8 Plaintiff does not provide employer information, he lists his gross pay or wages as \$400
and his 9 take-home pay or wages as \$300 every two weeks. (*Id.*). Furthermore, Plaintiff marked
the 10 “Business, profession, or other self-employment” box as “Yes,” indicating other sources of
11 income, yet Plaintiff fails to describe the source of money as required. (*Id.*). Finally, Plaintiff
fails 12 to provide any information regarding his housing, transportation, utilities, loan payments,
or other 13 monthly expenses. (*Id.* at p.2) 14 Plaintiff’s employer, potential earnings, and sources
of income over the last twelve 15 months need to be accurately reported before this Court can
determine whether Plaintiff is 16 eligible to proceed IFP in this action. Furthermore, Plaintiff
needs to provide complete 17 information in the application to proceed in forma pauperis. 18
Because Plaintiff’s IFP application is incomplete, the Court will require Plaintiff to submit 19 a
supplemental IFP application. 20 Accordingly, IT IS ORDERED that: 21 1. The Clerk of the Court
is directed to send Plaintiff, along with this order, a long form 22 IFP application (AO 239). 23 2.
Within thirty (30) days of the date of service of this order, Plaintiff shall submit the 24 attached

IFP application, completed and signed under penalty of perjury, or in the 25 alternative, pay the \$405.00 filing fee for this action. \\\ 26 \\\ 27 \\\ 28 1 3. No requests for extension will be granted without a showing of good cause. Failure to 2 comply with this order may result in dismissal of this action. 3 4 IT IS SO ORDERED. 5] Dated: _ October 28, 2025 [see hey

6 UNITED STATES MAGISTRATE JUDGE

8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28