

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Walker v. United States Congress

Walker · No. 3:25-cv-02064-JES-BLM · Decided October 6, 2025

SUMMARY

The United States District Court for the Southern District of California overruled Steven Walker’s objections to the denial of reconsideration of his in forma pauperis application. The court denied the renewed application because Walker’s income, assets, and expenses showed that he could pay the \$405 filing fee while affording his necessities. The court ordered him to pay the fee by October 27, 2025, or the case would be dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	James E. Simmons, Jr.
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 6, 2025
DOCKET	3:25-cv-02064-JES-BLM
DISPOSITION	other
PROCEDURAL POSTURE	The plaintiff objected to an order denying reconsideration of the denial of his motion to proceed in forma pauperis and submitted a renewed in forma pauperis application. The district court overruled all four objections and denied the renewed application.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- civil procedure
- constitutional law
- first amendment

PRACTICE AREAS

- civil procedure
- constitutional law
- in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether the court's in forma pauperis application was constitutionally insufficient because it requested gross income rather than net income.
2. Whether the evidence submitted by Plaintiff was sufficient to establish that he could not pay the filing fee while affording the necessities of life.
3. Whether Plaintiff's 2016 Jeep Wrangler should be treated as an asset despite the vehicle being financed.
4. Whether the First Amendment, Article I, Section 8, Clause 9, or Article III exempted Plaintiff from paying the civil filing fee because he sued the federal government.

HOLDINGS

1. The court held that requesting an applicant's average gross monthly income for the prior twelve months and expected income for the following month was a permissible means of assessing the applicant's ability to pay and was not shown to be unconstitutional.
2. The court held that Plaintiff could afford the one-time \$405 filing fee while still affording the necessities of life, and therefore denied his renewed motion to proceed in forma pauperis.
3. The court held that financing a vehicle does not negate legal ownership; Plaintiff remained the legal owner of the 2016 Jeep Wrangler despite the outstanding loan.
4. The court held that the First Amendment, Article I, Section 8, Clause 9, and Article III do not exempt a civil litigant from paying the filing fee.

KEY QUOTATIONS

“Plaintiff is able to afford the one-time court filing fee of \$405.00 and still afford the necessities of life.” (5)

“The Court will not consider any additional IFP motions or requests for reconsideration.” (5)

FACTUAL BACKGROUND

Plaintiff sought to proceed without paying the civil filing fee. His renewed application listed average gross monthly income of \$6,087.72, limited cash assets, monthly expenses of \$3,730, and monthly income deductions of \$2,003. The court treated at least \$100 of the deductions as voluntary contributions that could be used to pay the filing fee and determined that Plaintiff owned, rather than leased, a 2016 Jeep Wrangler.

PROCEDURAL HISTORY

The court previously denied Plaintiff's motion to reconsider the denial of his in forma pauperis motion and ordered him either to pay the filing fee or submit a renewed application. Plaintiff filed objections and a renewed application. The court denied the renewed application, ordered payment of the filing fee by October 27, 2025, and stated that failure to pay would result in dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1234 (9th Cir. 2015)
- Eastern R.R. Presidents Conf. v. Noerr Motor Freight, Inc., 365 U.S. 127 (1961)
- Trump v. Casa, 606 U.S. 831 (2025)
- Elrod v. Burns, 427 U.S. 347, 361-362 (1976)

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