

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Yu Hin Chan v. Hector Lasalle and Eric Carlson

Case No. 3:25-cv-492 · No. 3:25-cv-492 · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of Tennessee adopts a magistrate judge’s Report and Recommendation concerning Plaintiff Yu Hin Chan’s application to proceed in forma pauperis. The court denies the application, orders Plaintiff to pay the full filing fee within 21 days, and warns that failure to pay will result in dismissal for want of prosecution and failure to comply with a court order.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Charles E. Atchley, Jr.
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	December 9, 2025
DOCKET	3:25-cv-492
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation recommending denial of Plaintiff's application to proceed in forma pauperis and requiring payment of the filing fee.
STANDARD OF REVIEW	The district court reviewed the Report and Recommendation and the record; because Plaintiff filed no objection, the court noted that de novo review was not required under the cited authority.
PRECEDENTIAL VALUE	unknown

TOPICS

civil procedure

PRACTICE AREAS

civil procedure in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether the district court should accept and adopt the magistrate judge's Report and Recommendation.
2. Whether Plaintiff's application to proceed in forma pauperis should be denied and Plaintiff required to pay the full filing fee.

HOLDINGS

1. The district court accepted and adopted the magistrate judge's findings of fact and conclusions of law because the court agreed with the Report and Recommendation and Plaintiff filed no objection.
2. Plaintiff's Application to Proceed In Forma Pauperis was denied, and Plaintiff was ordered to pay the full filing fee within twenty-one days of entry of the order.

KEY QUOTATIONS

“Accordingly, the Court ACCEPTS and ADOPTS Magistrate Judge Poplin’s findings of fact and conclusions of law as set forth in the Report and Recommendation [Doc. 8].” (Order)

“Plaintiff’s Application to Proceed In Forma Pauperis [Doc. 1] is DENIED. Plaintiff is ORDERED to pay the full filing fee within twenty-one (21) days of entry of this order.” (Order)

FACTUAL BACKGROUND

Plaintiff sought leave to proceed in forma pauperis in this civil action. The magistrate judge recommended denial of that application and allowed Plaintiff twenty-one days to pay the filing fee. Plaintiff did not object to the recommendation.

PROCEDURAL HISTORY

Plaintiff filed an application to proceed in forma pauperis. Magistrate Judge Debra C. Poplin issued a Report and Recommendation recommending that the application be denied and that Plaintiff be given twenty-one days to pay the filing fee. Plaintiff filed no objection, and the district court accepted and adopted the Report and Recommendation, denied the application, and ordered payment of the full filing fee.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 148-51 (1985)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE YU HIN CHAN,)) Plaintiff,)) Case No. 3:25-cv-492 v.)) Judge Atchley) HECTOR LASALLE and ERIC) Magistrate Judge Poplin CARLSON,)) Defendants.) ORDER

On November 21, 2025, United States Magistrate Judge Debra C. Poplin filed a Report and Recommendation [Doc. 8] pursuant to 28 U.S.C. § 636(b) and the Rules of this Court.

The Magistrate Judge recommends that Plaintiff's Application to Proceed In Forma Pauperis [Doc. 1] be denied and that Plaintiff be afforded twenty-one (21) days to pay the filing fee. [Doc. 8]. Plaintiff has not filed an objection to the Report and Recommendation.¹ The Court has nonetheless reviewed the Report and Recommendation, as well as the record, and agrees with Magistrate Judge Poplin's well-reasoned conclusions.

Accordingly, the Court ACCEPTS and ADOPTS Magistrate Judge Poplin's findings of fact and conclusions of law as set forth in the Report and Recommendation [Doc. 8]. Plaintiff's Application to Proceed In Forma Pauperis [Doc. 1] is DENIED. Plaintiff is ORDERED to pay the full filing fee within twenty-one (21) days of entry of this order. Also, Plaintiff is NOTIFIED ¹ Magistrate Judge Poplin advised that the parties had 14 days in which to object to the Report and Recommendation and that failure to do so would waive any right to appeal.

[Doc. 13 at 3 n.1]; see Fed. R. Civ. P. 72(b)(2); see also *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) ("It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings."). that if he fails to timely pay the filing fee, the Court will dismiss this action for want of prosecution and failure to comply with a Court order without further notice.

SO ORDERED. /s/ Charles E. Atchley, Jr. c CHARLES E. ATCHLEY, JR. UNITED STATES DISTRICT JUDGE