

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Danny Eromosele Iluobe Sr. v. Experian Information Systems, Inc.

Iluobe · No. 3:26-cv-2-MPM-JMV · Decided February 2, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi denies Danny Eromosele Iluobe Sr.'s motion for reconsideration of the denial of his application to proceed in forma pauperis. The court concludes that Plaintiff's stated income substantially exceeds his expenses and that he presents no change in controlling law or new evidence warranting reconsideration. Plaintiff is granted an additional 21 days to pay the filing fee, with failure to do so subject to a recommendation of dismissal.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Jane M. Virden
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	February 2, 2026
DOCKET	3:26-cv-2-MPM-JMV
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the court's prior order denying his motion to proceed in forma pauperis.
STANDARD OF REVIEW	Reconsideration was unwarranted because Plaintiff identified neither a change in controlling law nor new evidence supporting alteration of the prior order.
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential
PARTIES	Danny Eromosele Iluobe Sr. v. Experian Information Systems, Inc.

TOPICS

- motion for reconsideration
- civil procedure
- consumer protection

PRACTICE AREAS

Civil procedure

In forma pauperis proceedings

Federal litigation filing fees

Consumer protection

QUESTIONS PRESENTED

1. Whether the court should reconsider its denial of Plaintiff's application to proceed in forma pauperis based on his assertion that the reported income was gross rather than disposable income.
2. Whether Plaintiff demonstrated a change in controlling law or new evidence warranting reconsideration of the prior IFP order.

HOLDINGS

1. Reconsideration was denied because Plaintiff did not dispute the income figures in his application and presented neither a change in controlling law nor new evidence warranting reconsideration.

KEY QUOTATIONS

"Section 1915 is designed to protect those litigants who suffer true financial hardship, not those who are well-equipped to pay the filing fee but choose to allocate their resources in a different manner."

FACTUAL BACKGROUND

Plaintiff reported approximately \$6,056 per month in retirement and Social Security disability income, approximately \$248 in checking or savings accounts, one motor vehicle, and no real property or other listed assets. He reported approximately \$4,969 in monthly expenses and a \$500 alimony debt. Because his stated income exceeded his stated expenses by approximately \$1,000 per month, the court concluded that he could pay the filing fee without becoming destitute or unable to provide life's necessities.

PROCEDURAL HISTORY

Plaintiff filed the action and an application to proceed in forma pauperis on January 5, 2026. The court denied the IFP application because Plaintiff's reported income exceeded his expenses by approximately \$1,000 per month and did not demonstrate that payment of the filing fee would cause undue financial hardship. Plaintiff then moved for reconsideration, arguing that his reported income was gross rather than disposable income. The court denied reconsideration and granted Plaintiff an additional 21 days to pay the filing fee.

DISPOSITION

other

CASES CITED

- Davis v. Tisdale, No. 1:25-CV-00039-LG-BWR, 2025 WL 1914400, at *3 (S.D. Miss. Apr. 3, 2025), report and recommendation adopted, No. 1:25CV39-LG-BWR, 2025 WL 1779562 (S.D. Miss. June 27, 2025)
- Shepard v. U.S. Postal Inspection Serv., No. 2:21-cv-00106-KS-MTP, 2021 WL 3828736, at *1 (S.D. Miss. Aug. 6, 2021), report and recommendation adopted, 2021 WL 3828442 (S.D. Miss. Aug. 26, 2021)

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