

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Steven Walker v. United States Congress

No. 3:25-cv-02064-JES-BLM (S.D. Cal. Jan. 5, 2026) · No. 3:25-cv-02064-JES-BLM · Decided January 5, 2026

SUMMARY

The Southern District of California denies Steven Walker’s motion for relief from the order denying his renewed application to proceed in forma pauperis. The court holds that it retains jurisdiction to consider the motion despite Walker’s notice of appeal, but concludes that the motion repeats arguments previously addressed. Because Walker failed to pay the filing fee as ordered, the court dismisses the case without prejudice and denies his motion for a preliminary injunction as moot.

CASE DETAILS

COURT	United States District Court for the Southern District of California
JURISDICTION	United States District Court for the Southern District of California
DECIDED	January 5, 2026
DOCKET	3:25-cv-02064-JES-BLM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved for relief from the order denying his renewed application to proceed in forma pauperis and moved for a preliminary injunction. After Plaintiff failed to pay the filing fee as ordered, the district court denied relief, denied the injunction motion as moot, and dismissed the case without prejudice.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Steven Walker v. United States Congress

TOPICS

- motion for reconsideration
- appellate jurisdiction
- injunctions
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure
- remedies

QUESTIONS PRESENTED

1. Whether the filing of Plaintiff's notice of appeal divested the district court of jurisdiction to decide his timely motion for relief under Federal Rule of Civil Procedure 60.
2. Whether Plaintiff was entitled to relief from the order denying his renewed application to proceed in forma pauperis.
3. Whether the action should be dismissed without prejudice for Plaintiff's failure to pay the filing fee as ordered.
4. Whether Plaintiff's motion for a preliminary injunction remained justiciable after dismissal of the action.

HOLDINGS

1. A timely Rule 60 motion covered by Federal Rule of Appellate Procedure 4(a)(4) preserves the district court's jurisdiction to decide the motion notwithstanding a notice of appeal.
2. Plaintiff was not entitled to relief under Rule 60(b)(3) because his motion merely repeated arguments previously raised and identified no new evidence warranting reconsideration.
3. The action was properly dismissed without prejudice because Plaintiff failed to pay the filing fee by the deadline imposed in the court's October 6, 2025 order.
4. The motion for a preliminary injunction was moot after dismissal of the action.

KEY QUOTATIONS

“the filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”
(at 2)

“The Court therefore DISMISSES WITHOUT PREJUDICE the case for failure to comply with the Court’s October 6, 2025, Order.” (at 3)

FACTUAL BACKGROUND

The district court repeatedly denied Plaintiff's applications and reconsideration requests seeking permission to proceed in forma pauperis. In its October 6, 2025 order, the court required Plaintiff to pay the filing fee by October 27, 2025, and warned that failure to do so would result in dismissal. Plaintiff did not pay the fee and instead filed another motion challenging the court's understanding of his vehicle ownership and monthly salary, along with a motion for a preliminary injunction.

PROCEDURAL HISTORY

The court denied Plaintiff's initial and renewed applications to proceed in forma pauperis and ordered him to pay the filing fee by October 27, 2025, warning that failure to do so would result in dismissal. Plaintiff filed a preliminary-injunction motion, a motion under Federal Rule of Civil Procedure 60(b)(3) for relief from the order denying his renewed IFP application, and later a notice of appeal. The district court held that it retained jurisdiction to decide the timely Rule 60 motion, denied that motion, dismissed the action without prejudice for failure to comply with its filing-fee order, and denied the preliminary-injunction motion as moot.

DISPOSITION

dismissed

CASES CITED

- Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58-59 (1982)
- Tripathi v. Henman, 845 F.2d 205, 206 (9th Cir. 1988)
- Sams v. California Department of Corrections and Rehabilitation, No. 5:21-cv-00493-ODW (JDEx), 2025 WL 819063, at *1 (C.D. Cal. Jan. 14, 2025)

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