

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michella C. Alfaro Brittany v. Child Support Services, et al.

Alfaro Brittany · No. 2:24-cv-3396-DC-JDP (PS) · Decided May 15, 2025

SUMMARY

The magistrate judge recommends closing the case because the plaintiff failed to pay the filing fee after her application to proceed in forma pauperis was denied and the district judge ordered payment. The findings and recommendations advise the parties of the deadline and potential waiver consequences for filing objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 15, 2025
DOCKET	2:24-cv-3396-DC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge recommending closure of the action after plaintiff failed to pay the filing fee within the deadline ordered by the district judge.
PRECEDENTIAL VALUE	unpublished

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether the case should be closed because plaintiff failed to pay the filing fee after the district judge denied in forma pauperis status and ordered payment.

KEY QUOTATIONS

“Accordingly, it is *RECOMMENDED* that the Clerk of Court be directed to close this case for plaintiff’s failure to pay the filing fee.” (at 1)

FACTUAL BACKGROUND

Plaintiff sought to proceed in forma pauperis. The magistrate judge recommended denial of that application, the district judge adopted the recommendation, and plaintiff was ordered to tender the filing fee within twenty-one days. Plaintiff did not pay the fee before the deadline expired.

PROCEDURAL HISTORY

The magistrate judge recommended denying plaintiff’s application to proceed in forma pauperis because plaintiff had not shown insufficient assets. The district judge adopted that recommendation and ordered plaintiff to pay the filing fee within twenty-one days. After the deadline expired without payment, the magistrate judge recommended that the clerk close the case.

DISPOSITION

other

REMAND INSTRUCTIONS

None. The magistrate judge recommended that the clerk be directed to close the case; the recommendation was subject to objections and adoption by the assigned district judge.

CASES CITED

- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)