

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Mohibullah Ahmadzai v. County of Sacramento, et al.

Ahmadzai · No. 2:25-cv-02625-DC-CSK · Decided January 5, 2026

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 MOHIBULLAH AHMADZAI, Case No. 2:25-cv-02625-DC-CSK 12
Plaintiff, 13 v. ORDER DENYING WITHOUT PREJUDICE PLAINTIFF’S REQUEST TO
PROCEED 14 COUNTY OF SACRAMENTO, et al., IFP 15 Defendants. (ECF Nos. 2, 3) 16 17
Plaintiff Mohibullah Ahmadzai is representing himself in this action and seeks 18 leave to proceed
in forma pauperis (“IFP”) pursuant to 28 U.S.C. § 1915.1 (ECF No. 2.)

19 For the reasons stated below, the Court DENIES Plaintiff’s request to proceed IFP 20 without
prejudice. 21 I. LEGAL STANDARDS 22 All parties instituting any civil action, suit or
proceeding in any district court of the 23 United States, except an application for writ of habeas
corpus, must pay a filing fee. See 24 28 U.S.C. § 1914(a). An action may proceed despite a party’s
failure to pay the filing fee 25 only if the party is granted leave to proceed in forma pauperis
pursuant to 28 U.S.C. 26 § 1915(a).

See *Andrews v. Cervantes*, 493 F.3d 1047, 1051 (9th Cir. 2007); *Rodriguez v.* 27 1 This matter
proceeds before the undersigned pursuant to 28 U.S.C. § 636, Fed. R. 28 Civ. P. 72, and Local
Rule 302(c). 1 Cook, 169 F.3d 1176, 1177 (9th Cir. 1999).

To qualify to proceed in forma pauperis, the 2 litigant must submit an affidavit that includes a
statement of all assets they possess. 3 28 U.S.C. § 1915(a)(1). The affidavit must also state that the
person is unable to pay the 4 fees or give security. *Id.* The affidavit must provide “sufficient
details concerning [the 5 applicant’s] income, assets, and expenditures[.]” *Williams v. Cnty. of*
Ventura, 443 F. 6 App’x 232, 233 (9th Cir.

2011) (citing *United States v. McQuade*, 647 F.2d 938, 940 (9th 7 Cir. 1981) (an affidavit claiming
poverty in support of a motion made under 8 28 U.S.C. § 1915 must state the relevant facts “with
some particularity, definiteness, and 9 certainty”). 10 II. DISCUSSION 11 A. Plaintiff’s Request
to Proceed IFP 12 Plaintiff’s IFP application indicates he receives the following income: 13
approximately \$1,578/monthly in Cash Aid; approximately \$906/monthly in CalFresh; 14 and
\$9,400 in Financial Aid for “Fall 2025.” ECF No. 2 ¶ 3.

It is not clear how many 15 months Plaintiff’s financial aid covers to determine whether Plaintiff
is unable to pay the 16 fees or give security as required pursuant to 28 U.S.C. § 1915(a)(1).

Plaintiff's IFP 17 application lacks sufficient detail to establish that he is entitled to prosecute this case 18 without paying the required fees. See Williams, 443 F. App'x at 233.

Plaintiff will be 19 provided an opportunity to file an amended IFP application. Therefore, Plaintiff's request 20 to proceed in forma pauperis (ECF No. 2) is DENIED without prejudice to its renewal. 21 Plaintiff is warned that failure to pay the filing fee or submit a complete IFP application 22 with sufficient detail by the prescribed deadline may result in a recommendation that this 23 action be dismissed.

24 B. Plaintiff's Request for Service 25 Plaintiff has also filed a request for service of the summons and Complaint. (ECF 26 No. 3.) This request is premature as the Court must first determine whether IFP is 27 appropriate and if it is, the Court must screen the complaint and dismiss any claims that 28 are frivolous or malicious, fail to state a claim on which relief may be granted, or seek 1 | monetary relief against an immune defendant.

28 U.S.C. § 1915(e)(2). Accordingly, 2 | Plaintiff's request for service (ECF No. 3) is DENIED as premature. 3 | Ill. CONCLUSION 4 In accordance with the above, IT |S ORDERED that: 5 1. Plaintiff's request for service (ECF No. 3) is DENIED as premature; 6 2. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is DENIED 7 without prejudice; and 8 3.

Plaintiff must pay the filing fee or file a complete and signed application to 9 proceed IFP within thirty (30) days from the date of this order. 10 11 | Dated: January 5, 2026 C ii \$ \U 12 CHI SOO KIM 43 UNITED STATES MAGISTRATE JUDGE 14 || 4, ahma2625.25 15 16 17 18 19 20 21 22 23 24 25 26 27 28