

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Douglas Urquilla v. CDCR, et al.

Urquilla v. CDCR · No. 1:25-cv-01215-JLT-BAM (PC) · Decided November 25, 2025

SUMMARY

The document contains findings and recommendations by a United States Magistrate Judge in a prisoner civil-rights action under 42 U.S.C. § 1983. The magistrate judge recommends denying Douglas Urquilla’s motion to proceed in forma pauperis and ordering him to pay the \$405.00 filing fee because his trust-account balance and deposits indicate that he can afford it.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 25, 2025
DOCKET	1:25-cv-01215-JLT-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se under 42 U.S.C. § 1983, moved to proceed in forma pauperis. The magistrate judge issued findings and recommendations that the motion be denied and that Plaintiff be ordered to pay the \$405.00 initial filing fee.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- prisoners rights
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner litigation
- in forma pauperis proceedings

QUESTIONS PRESENTED

- Whether Plaintiff demonstrated sufficient financial inability to qualify for leave to proceed in forma pauperis.

KEY QUOTATIONS

- “Examination of Plaintiff’s application and trust account statement reveals that Plaintiff is able to afford the costs of this action.” (at 1)
- “Plaintiff’s motion to proceed in forma pauperis, (ECF No. 13), be DENIED” (at 2)

FACTUAL BACKGROUND

Plaintiff’s prison trust account showed an available balance of \$1,101.11. Although his application did not identify income sources for the prior twelve months, Plaintiff reported receiving \$300 per month, and the account statement showed recurring deposits ranging from \$312.00 to \$359.00.

PROCEDURAL HISTORY

Plaintiff initiated the civil rights action on December 5, 2024, and the matter was transferred to the Eastern District of California on September 16, 2025. After receiving an extension, Plaintiff filed an in forma pauperis application and certified prison trust account statement on November 21, 2025. The magistrate judge recommended denial of in forma pauperis status and payment of the initial filing fee, subject to review by the assigned district judge after any objections.

DISPOSITION

other

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838–39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 EASTERN DISTRICT OF CALIFORNIA 6 7
DOUGLAS URQUILLA, Case No. 1:25-cv-01215-JLT-BAM (PC) 8 Plaintiff, FINDINGS AND
RECOMMENDATIONS THAT PLAINTIFF’S MOTION FOR LEAVE 9 v. TO PROCEED IN
FORMA PAUPERIS BE DENIED 10 CDCR, et al., (ECF No. 13) 11 Defendants. 12 13 Plaintiff
Douglas Urquilla (“Plaintiff”) is a state prisoner proceeding pro se in this civil 14 rights action
pursuant to 42 U.S.C. § 1983.

Plaintiff initiated this action on December 5, 2024, 15 and the matter was transferred to this Court
on September 16, 2025. (ECF Nos. 1, 4.) Plaintiff 16 did not pay the filing fee or submit an
application to proceed in forma pauperis. 17 On November 12, 2025, the Court granted Plaintiff an
extension of time to submit an 18 application to proceed in forma pauperis or pay the filing fee for
this action with thirty days.

19 (ECF No. 12.) On November 21, 2025, Plaintiff filed his application to proceed in forma pauperis, along with a certified copy of his prison trust account statement. (ECF No. 13.) Examination of Plaintiff's application and trust account statement reveals that Plaintiff is able to afford the costs of this action. Specifically, Plaintiff's current available balance in his trust account is \$1,101.11.

(ECF No. 13 at 1, 2.) In addition, although Plaintiff's motion to proceed in forma pauperis does not identify any sources of income over the last twelve months, Plaintiff states that he receives pay of \$300.00 per month. (Id. at 1.) Additionally, Plaintiff's trust account statement shows deposits for "I/M Pay – SAP OMCP" on June 6, 2025, July 2, 2025, August 7, 2025, September 5, 2025, October 7, 2025, and November 7, 2025 in amounts ranging from \$312.00 to \$359.00.

(Id. at 3.) Accordingly, it is HEREBY RECOMMENDED that: 1. Plaintiff's motion to proceed in forma pauperis, (ECF No. 13), be DENIED; and 2. Plaintiff be ORDERED to pay the \$405.00 initial filing fee in full to proceed with this action. These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1).

Within fourteen (14) days after being served with these Findings and Recommendations, Plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Objections, if any, shall not exceed fifteen (15) pages or include exhibits. Exhibits may be referenced by CM/ECF document number and page number if already in the record before the Court.

Any pages filed in excess of the 15-page limit may not be considered. The parties are advised that failure to file objections within the specified time may result in the waiver of the "right to challenge the magistrate's factual findings" on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir.

1991)). IT IS SO ORDERED. Dated: November 24, 2025 /s/ Barbara A. McAuliffe _
UNITED STATES MAGISTRATE JUDGE