

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Kirk D. Williams v. ByteDance Ltd., et al.

Williams v. ByteDance · No. 2:25-cv-03353-DJC-CSK · Decided January 8, 2026

SUMMARY

The United States District Court for the Eastern District of California denied Kirk D. Williams’s request to proceed in forma pauperis without prejudice. The court found that the application omitted information about cash and bank balances, monthly expenses, dependents, and debts or other financial obligations. The court allowed Williams 30 days to pay the filing fee or submit a complete and signed IFP application.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Gyi S. Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 8, 2026
DOCKET	2:25-cv-03353-DJC-CSK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se, sought leave to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).
STANDARD OF REVIEW	The court evaluated whether the application satisfied the factual-detail requirements for proceeding in forma pauperis under 28 U.S.C. § 1915(a)(1).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Kirk D. Williams v. ByteDance Ltd., et al.

TOPICS

civil procedure

PRACTICE AREAS

Federal civil procedure In forma pauperis proceedings Access to courts

QUESTIONS PRESENTED

1. Whether plaintiff's incomplete in forma pauperis application established his inability to pay the required filing fee under 28 U.S.C. § 1915(a)(1).
2. Whether plaintiff should be allowed to renew the in forma pauperis request by filing a complete application.

HOLDINGS

1. An applicant seeking to proceed in forma pauperis must submit an affidavit identifying all assets and stating an inability to pay the filing fee or give security, with sufficient detail concerning income, assets, and expenditures. Williams's failure to provide required financial information meant that he had not established entitlement to proceed without paying the fee.
2. The denial of plaintiff's IFP request was without prejudice, and plaintiff was permitted thirty days to pay the filing fee or submit a complete and signed IFP application with sufficient financial detail.

KEY QUOTATIONS

“The affidavit must provide “sufficient details concerning [the applicant’s] income, assets, and expenditures[.]”” (at 1)

“Therefore, Plaintiff’s IFP application lacks sufficient detail to establish that he is entitled to prosecute this case without paying the required fees.” (at 2)

FACTUAL BACKGROUND

Kirk D. Williams represented himself and requested permission to proceed without paying the civil filing fee. His application did not answer questions about his cash and checking or savings-account balances, monthly expenses, dependents and support contributions, or debts and other financial obligations. Because the omissions prevented the court from determining whether he was unable to pay the required fees, the court denied the request without prejudice.

PROCEDURAL HISTORY

Williams filed a civil action and submitted an application to proceed in forma pauperis. The district court found the application incomplete because it omitted information concerning cash and bank-account balances, monthly expenses, dependents and support contributions, and debts or other financial obligations. The court denied the application without prejudice and allowed plaintiff thirty days to pay the filing fee or submit a complete, signed application.

DISPOSITION

other

CASES CITED

- Andrews v. Cervantes, 493 F.3d 1047, 1051 (9th Cir. 2007)

- Rodriguez v. Cook, 169 F.3d 1176, 1177 (9th Cir. 1999)
- Williams v. County of Ventura, 443 F. App'x 232, 233 (9th Cir. 2011)
- United States v. McQuade, 647 F.2d 938, 940 (9th Cir. 1981)

OPINION

(PS)Williams

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 KIRK D. WILLIAMS, Case No. 2:25-cv-03353-DJC-CSK 12 Plaintiff,

13 v. ORDER DENYING WITHOUT PREJUDICE

PLAINTIFF'S REQUEST TO PROCEED

14 BYTEDANCE LTD., et al., IFP 15 Defendants. (ECF No. 2) 16 17 Plaintiff Kirk D. Williams is representing himself in this action and seeks leave to 18 proceed in forma pauperis ("IFP") pursuant to 28 U.S.C. § 1915.1 (ECF No. 2.) For the 19 reasons stated below, the Court DENIES Plaintiff's request to proceed IFP without 20 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 In its current form, Plaintiff's IFP application is incomplete. See ECF No. 2. 12 Plaintiff does not respond to questions regarding the following: amount of money in cash 13 or in a checking or savings account; any monthly expenses; any dependents and how 14 much support is contributed; and whether Plaintiff has any debts or financial obligations. 15 See id. at 2 ¶¶ 4-8. Therefore,

Plaintiff's IFP application lacks sufficient detail to establish 16 that he is entitled to prosecute this case without paying the required fees. See Williams, 17 443 F. App'x at 233; see also 28 U.S.C. § 1915(a)(1). Plaintiff will be provided an 18 opportunity to file an amended IFP application. Therefore, Plaintiff's request to proceed 19 in forma pauperis (ECF No. 2) is DENIED without prejudice to its renewal. Plaintiff is 20 warned that failure to pay the filing fee or submit a complete IFP application with 21 sufficient detail by the prescribed deadline may result in a recommendation that this 22 action be dismissed.

23 III. CONCLUSION

24 In accordance with the above, IT IS ORDERED that: 25 1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is DENIED 26 without prejudice; and 27 / / / 28 / / / 1 2. Plaintiff must pay the filing fee or file a complete and signed application to 2 proceed IFP within thirty (30) days from the date of this order. 3 4 Dated: January 7, 2026 C iy S \U

5 GHI 500 KIM

UNITED STATES MAGISTRATE JUDGE

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