

**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.

OPINION

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 Cir. 1981) (an affidavit claiming poverty in support of a motion made under 28 U.S.C. § 1915 must state the relevant facts “with some particularity, definiteness, and certainty”).

II. DISCUSSION

In its current form, Plaintiff’s IFP application is incomplete. See ECF No. 2. Plaintiff does not respond to questions regarding the following: amount of money in cash or in a checking or savings account; any monthly expenses; any dependents and how much support is contributed; and whether Plaintiff has any debts or financial obligations.

See *id.* at ¶¶ 4-8. Therefore, Plaintiff’s IFP application lacks sufficient detail to establish that he is entitled to prosecute this case without paying the required fees. See *Williams*, 443 F. App’x at 233; see also 28 U.S.C. § 1915(a)(1). Plaintiff will be provided an opportunity to file an amended IFP application.

Therefore, Plaintiff’s request to proceed in forma pauperis (ECF No. 2) is DENIED without prejudice to its renewal. Plaintiff is warned that failure to pay the filing fee or submit a complete IFP application with sufficient detail by the prescribed deadline may result in a recommendation that this action be dismissed.

III. CONCLUSION

In accordance with the above, IT IS ORDERED that:

Plaintiff’s request to proceed in forma pauperis (ECF No. 2) is DENIED without prejudice; and

Plaintiff must pay the filing fee or file a complete and signed application to proceed IFP within thirty (30) days from the date of this order.

Dated: January 7, 2026

Clerk of Court
U.S. District Court
Eastern District of California
Kirkland
500 KIM UNITED STATES MAGISTRATE JUDGE
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