

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Lavon Dyson v. St. Charles County

Dyson · No. 4:25-cv-01548-MTS · Decided November 24, 2025

SUMMARY

The United States District Court for the Eastern District of Missouri denied Lavon Dyson’s application to proceed without prepaying fees or costs because he did not submit a certified six-month trust fund account statement as required by 28 U.S.C. § 1915(a)(2). The Court ordered him to submit an amended application with the certified statement or pay the filing fee by January 8, 2026, warning that failure to comply would result in dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	November 24, 2025
DOCKET	4:25-cv-01548-MTS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff applied to proceed in forma pauperis in a prisoner civil-rights action without prepaying filing fees and costs.
STANDARD OF REVIEW	The court applied the mandatory filing requirements of 28 U.S.C. § 1915(a)(2) to Plaintiff's in forma pauperis application.
PRECEDENTIAL VALUE	unpublished
PARTIES	Lavon Dyson v. St. Charles County

TOPICS

civil procedure

PRACTICE AREAS

civil procedureprisoner civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff's application to proceed without prepaying fees or costs should be granted when he failed to provide the certified trust-fund account statement required by 28 U.S.C. § 1915(a)(2).

HOLDINGS

1. The application must be denied without prejudice because Plaintiff failed to provide a certified copy of his trust-fund account statement, or institutional equivalent, for the six-month period immediately preceding the filing of his complaint.
2. The denial is without prejudice, and Plaintiff may proceed by timely filing an amended application with the certified account statement or by prepaying the \$405 filing fee.

KEY QUOTATIONS

- “Accordingly, IT IS HEREBY ORDERED that Plaintiff Lavon Dyson’s Application to Proceed in District Court Without Prepaying Fees or Costs, Doc. [2], 1s DENIED without prejudice.”
- “The failure to do so will result in the dismissal of this action without further notice.”

FACTUAL BACKGROUND

Lavon Dyson filed an application to proceed in district court without prepaying fees or costs. He failed to provide a certified copy of his trust-fund account statement, or an institutional equivalent, covering the six-month period immediately preceding the filing of his complaint. The court gave him the alternative of submitting a compliant amended application or prepaying the \$405 filing fee.

PROCEDURAL HISTORY

Plaintiff submitted an application to proceed without prepaying fees or costs. The district court denied the application without prejudice because Plaintiff did not provide a certified trust-fund account statement, and ordered him either to submit an amended application with the required statement or prepay the entire \$405 filing fee by January 8, 2026. The court warned that failure to comply would result in dismissal without further notice.

DISPOSITION

other

CASES CITED

- Koenig v. Mo. Dep't of Corr., 4:23-cv-1524-MTS, 2024 WL 277939, at *2 (E.D. Mo. Jan. 25, 2024)
- Hudson v. Malone, 4:25-cv-0189-MTS, 2025 WL 2243698, at *2 (E.D. Mo. Aug. 8, 2025)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION LAVON DYSON,)) Plaintiff,)) vs.) Case No. 4:25-cv-01548-MTS) ST. CHARLES

COUNTY,)) Defendant.) MEMORANDUM AND ORDER Before the Court is Plaintiff Lavon Dyson's Application to Proceed in District Court Without Prepaying Fees or Costs. Doc.

[2]. The Court must deny Plaintiff's Application because he failed to provide a certified copy of his trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of his Complaint. See 28 U.S.C. § 1915(a)(2); see also Koenig v. Mo. Dep't of Corr., 4:23-cv-1524-MTS, 2024 WL 277939, at *2 (E.D. Mo. Jan. 25, 2024) (discussing the mandatory nature of § 1915(a)).

Plaintiff must either (1) comply with 28 U.S.C. § 1915(a) by carefully completing* and submitting an amended application along with a certified copy of his trust fund account statement; or (2) prepay the \$405 filing fee in its entirety. If Plaintiff fails to timely do one of the two, the Court will dismiss this action without further notice. * The statements Plaintiff makes on the form application are made under penalty of perjury.

As the form warns, a false statement on the application may result in the dismissal of Plaintiff's claims. See, e.g., Hudson v. Malone, 4:25-cv-0189-MTS, 2025 WL 2243698, at *2 (E.D. Mo. Aug. 8, 2025). Accordingly, IT IS HEREBY ORDERED that Plaintiff Lavon Dyson's Application to Proceed in District Court Without Prepaying Fees or Costs, Doc.

[2], 1s DENIED without prejudice. IT IS FURTHER ORDERED that, no later than Thursday, January 08, 2026, Plaintiff shall submit an amended application to proceed in district court without prepaying fees or costs and submit a certified copy of his trust fund account statement or shall prepay the \$405 filing fee in its entirety.

The failure to do so will result in the dismissal of this action without further notice. IT IS FINALLY ORDERED that the Clerk of Court is respectfully directed to mail Plaintiff an extra copy of this Memorandum and Order in an effort to assist him in retrieving his certified statement, in compliance with federal law, from the requisite official with the St. Charles County Department of Corrections.

Dated this 24th day of November 2025. Au UNITED STATES DISTRICT JUDGE _2-