

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

Lettieri v. Federal Public Defenders

Lettieri · No. 25-cv-11228-PGL · Decided December 3, 2025

SUMMARY

The United States District Court for the District of Massachusetts orders the Clerk to draw the case to a district judge. The referral is made so a district judge can review the magistrate judge’s prior denial, without prejudice, of the plaintiff’s motion to proceed in forma pauperis, following the plaintiff’s objection.

CASE DETAILS

COURT	United States District Court for the District of Massachusetts
WRITING FOR THE COURT	Paul G. Levenson
DECIDED	December 3, 2025
DOCKET	25-cv-11228-PGL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's order denying without prejudice his motion for leave to proceed in forma pauperis. The magistrate judge ordered the case drawn to a district judge for review.
STANDARD OF REVIEW	A plaintiff is entitled to review by a district judge of a magistrate judge's order denying leave to proceed in forma pauperis.
PRECEDENTIAL VALUE	Unknown
PARTIES	David C. Lettieri v. Federal Public Defenders

TOPICS

civil procedure

PRACTICE AREAS

civil procedure federal courts

QUESTIONS PRESENTED

1. Whether the plaintiff was entitled to review by a district judge of the magistrate judge's order denying without prejudice his motion for leave to proceed in forma pauperis.

HOLDINGS

1. The plaintiff was entitled to review of the magistrate judge's order by a district judge, so the case was ordered drawn to a district judge for that purpose.

FACTUAL BACKGROUND

David C. Lettieri moved for leave to proceed in forma pauperis. The magistrate judge denied the motion without prejudice, and Lettieri objected to that order.

PROCEDURAL HISTORY

On September 5, 2025, Magistrate Judge Paul G. Levenson denied without prejudice Plaintiff's motion for leave to proceed in forma pauperis. Plaintiff filed an objection, and the magistrate judge directed the Clerk to draw the case to a district judge to review that order.

DISPOSITION

other

CASES CITED

- Prater v. Dep't of Corr., 76 F.4th 184, 195-98 (3d Cir. 2023)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS DAVID C. LETTIERI, Plaintiff, v. No. 25-cv-11228-PGL FEDERAL PUBLIC DEFENDERS, Defendants. ORDER TO DRAW CASE TO DISTRICT JUDGE LEVENSON, U.S.M.J. On September 5, 2025, I entered an Order (Docket No. 7) denying, without prejudice, Plaintiff's Motion (Docket No. 5) for leave to proceed in forma pauperis.

Plaintiff has filed an Objection (Docket No. 9) to my Order. Plaintiff is entitled to review of my order by a District Judge. See generally Prater v. Dep't of Corr., 76 F.4th 184, 195-98 (3d Cir. 2023). In order to effect such review, I hereby ORDER to the Clerk of the Court to draw this case to a District Judge for purposes of considering my order (Docket No. 7).

SO ORDERED. /s Paul G. Levenson Paul G. Levenson U.S. MAGISTRATE JUDGE Dated: December 3, 2025