

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Aragones v. Sequium Asset Solutions, LLC

No. 1:25-cv-00744-JLT-EPG (E.D. Cal. July 9, 2025) · No. 1:25-cv-00744-JLT-EPG · Decided July 9, 2025

SUMMARY

The United States Magistrate Judge recommends denying Reynaldo Aragonés’s application to proceed in forma pauperis because his reported wages and savings are sufficient to pay the civil filing fee. The findings and recommendations would require Plaintiff to pay the \$405 filing fee in full and warn that failure to do so may result in dismissal; objections are due within 30 days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 9, 2025
DOCKET	1:25-cv-00744-JLT-EPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil complaint concerning alleged erroneous debt reporting and simultaneously applied to proceed in forma pauperis. The magistrate judge issued findings and recommendations recommending denial of the application and requiring payment of the filing fee.
STANDARD OF REVIEW	The court evaluated whether Plaintiff demonstrated inability to pay the filing fee under 28 U.S.C. § 1915(a)(1).
PRECEDENTIAL VALUE	Unknown; magistrate judge findings and recommendations pending review by the assigned district judge
PARTIES	Reynaldo Aragonés v. Sequium Asset Solutions, LLC

TOPICS

- civil procedure
- credit reporting
- consumer protection

PRACTICE AREAS

- Federal civil procedure
- In forma pauperis proceedings
- Consumer protection
- Credit reporting

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated that he was unable to pay the filing fee so as to qualify to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).

HOLDINGS

1. Plaintiff's application to proceed in forma pauperis should be denied because his reported income and available funds were sufficient to pay the \$405 filing fee.

KEY QUOTATIONS

“These funds—especially Plaintiff’s monthly wages—are sufficient to pay the filing fee in this action.” (at 1)

“Therefore, the Court will recommend that Plaintiff’s application to proceed in forma pauperis be denied and that Plaintiff be required to pay the filing fee of \$405.00 for this action in full.” (at 1)

FACTUAL BACKGROUND

Plaintiff alleged that Defendant had erroneously reported his debt. He reported gross wages of \$6,463.00, take-home pay of \$4,260.09 after taxes, and \$1,400.00 in checking and savings. The court concluded that these wages and funds were sufficient to pay the \$405 civil filing fee.

PROCEDURAL HISTORY

Reynaldo Aragonese commenced the action and submitted an application to proceed in forma pauperis under 28 U.S.C. § 1915. After reviewing the application, the court found that his reported wages and available funds were sufficient to pay the \$405 filing fee. The magistrate judge recommended denying IFP status, ordering payment of the fee, and advising that failure to pay would result in dismissal; objections were permitted within 30 days.

DISPOSITION

other

CASES CITED

- *Hymas v. United States DOI*, 73 F.4th 763, 767 (9th Cir. 2023)
- *Calhoun v. Stahl*, 254 F.3d 845, 845 (9th Cir. 2001) (per curiam)
- *Jones v. Waypoint Res. Grp. LLC*, No. 3:23-cv-06088-TMC, 2024 WL 532356, at *1 n.1 (W.D. Wash. Jan. 3, 2024)
- *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014)
- *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)

OPINION

Aragones v. Sequium Asset Solutions, LLC.

PER CURIAM.

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

9 10 REYNALDO ARAGONES, Case No. 1:25-cv-00744-JLT-EPG 11 Plaintiff, FINDINGS
AND RECOMMENDATIONS 12

TO DENY PLAINTIFF'S MOTION TO

v.

13 PROCEED IN FORMA PAUPERIS

SEQUIUM ASSET SOLUTIONS, LLC,

14 (ECF No. 2) Defendant.

15 OBJECTIONS, IF ANY,

DUE WITHIN 30 DAYS

16 17 Plaintiff Reynaldo Aragon is proceeding pro se against Sequium Asset Solutions, 18 LLC,
due to alleged erroneous reporting of his debt. (ECF No. 1). Along with his complaint, 19 Plaintiff
also filed an application to proceed in forma pauperis (IFP) pursuant to 28 U.S.C. 20 § 1915. (ECF
No. 2). 21 The Court normally requires a \$405 filing fee for a civil action. However, a federal 22
statute, 28 U.S.C. § 1915, permits a plaintiff to commence a lawsuit without prepaying a filing 23
fee. This statute permits a court to “authorize the commencement, prosecution or defense of 24
any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees 25
or security therefor, by a person who submits an affidavit that includes a statement of all assets 26
27 28 1 such prisoner possesses that the person is unable to pay such fees or give security
therefor.” 28 2 U.S.C. § 1915(a)(1). 3 Here, Plaintiff requests that the Court grant him IFP status.
However, Plaintiff’s IFP 4 application indicates that Plaintiff has gross wages of \$6,463.00 and
take-home pay after taxes 5 of \$4260.09. (ECF No. 2 at 1). The application also indicates that
Plaintiff has \$1,400.00 in 6 checking and savings. (Id.). These funds—especially Plaintiff’s
monthly wages—are 7 sufficient to pay the filing fee in this action. 8 Therefore, the Court will
recommend that Plaintiff’s application to proceed in forma 9 pauperis be denied and that Plaintiff
be required to pay the filing fee of \$405.00 for this action 10 in full. 11 Accordingly, IT IS
RECOMMENDED that: 12 1. Plaintiff’s application to proceed in forma pauperis (ECF No. 2) be
denied; 13 2. Plaintiff be ordered to pay the \$405 filing fee in full should he want to proceed 14 in
this case; and 15 3. Plaintiff be advised that failure to pay the filing fee in full will result in the 16
dismissal of this case. 17 These findings and recommendations will be submitted to the United
States district 18 judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)
(1). Within 19 thirty days after being served with these findings and recommendations, Plaintiff
may file 20 written objections with the Court. The document should be captioned “Objections to
Magistrate 21 22 23 1 The Ninth Circuit has held that 28 U.S.C. § 1915(a)(1) applies to all
applicants for in forma 24 pauperis status, both prisoners and non-prisoners. *Hymas v. United*

States DOI, 73 F.4th 763, 767 (9th Cir. 2023) (“[N]otwithstanding the carve-out for prisoners, the portion of the IFP statute authorizing 25 courts to waive fees for persons “unable to pay” remains largely unchanged from the previous version. The PLRA therefore did not alter the courts’ discretion regarding filing fees as to non- 26 prisoners.” (emphasis in original)); see also Calhoun v. Stahl, 254 F.3d 845, 845 (9th Cir. 2001) (per curiam) (provisions of § 1915 apply to non-prisoner litigants). Moreover, many district courts apply 28 27 U.S.C. § 1915(a)(1) to non-prisoner lawsuits. See, e.g., Jones v. Waypoint Res. Grp. LLC, No. 3:23-cv- 06088-TMC, 2024 WL 532356, at *1 n.1 (W.D. Wash. Jan. 3, 2024) (“[Section] 1915(a)(1) applies to 28 both prisoners and to non-prisoners who make a motion to proceed IFP.”). 1 || Judge’s Findings and Recommendations.” Any objections shall be limited to no more than 15 2 || pages including exhibits. 3 Plaintiff is advised that failure to file objections within the specified time may result in 4 || the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) 5 || (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)). 6 7 IT IS SO ORDERED. Dated: _ July 9, 2025 [see hey □□

9 UNITED STATES MAGISTRATE JUDGE

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