

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Scott Bruno v. County of Tuolumne et al.

Bruno · No. 1:25-cv-1967-BAM · Decided December 29, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends denying Scott Bruno’s application to proceed in forma pauperis because his reported annual income exceeds the federal poverty guideline and does not establish an inability to pay court fees. The court directs the Clerk to randomly assign a district judge and recommends that Plaintiff pay the \$405 filing fee, subject to a fourteen-day objection period.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 29, 2025
DOCKET	1:25-cv-1967-BAM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil action asserting claims under 42 U.S.C. § 1983, the Americans with Disabilities Act, and state law, and sought leave to proceed in forma pauperis. A magistrate judge issued findings and recommendations recommending denial of the application and requiring payment of the filing fee.
STANDARD OF REVIEW	The applicant bears the burden under 28 U.S.C. § 1915 of demonstrating that poverty prevents payment of court costs while providing for the necessities of life. The court evaluated the application using the federal poverty guidelines as a guidepost.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- section 1983
- ada / disability

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated under 28 U.S.C. § 1915 that poverty prevented him from paying the filing fee while providing for the necessities of life.
2. Whether Plaintiff's application to proceed without prepayment of fees and costs should be denied and Plaintiff required to pay the filing fee.

HOLDINGS

1. Plaintiff did not make the showing required by 28 U.S.C. § 1915 because his reported annual household income substantially exceeded the applicable federal poverty guideline and the record did not indicate that he was unable to pay the filing fee while providing for life's necessities.

FACTUAL BACKGROUND

Plaintiff reported monthly SSI disability benefits of \$2,465 and VA service-connected disability income of \$3,831.30, for total monthly income of \$6,296.30 and annual income of \$75,555.60. He listed no dependents. Based on that income and the 2025 federal poverty guideline of \$15,650 for a household of one, the court found no indication that Plaintiff could not pay the filing fee while providing for life's necessities.

PROCEDURAL HISTORY

On December 22, 2025, Plaintiff filed the action and an application to proceed without prepayment of fees under 28 U.S.C. § 1915. The magistrate judge directed the Clerk to randomly assign a district judge and recommended that the application be denied and that Plaintiff pay the \$405 filing fee. The parties were given fourteen days to object under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- Soldani v. Comm'r of Soc. Sec., No. 1:19-cv-00040, 2019 WL 2160380, at *1 (E.D. Cal. Jan. 31, 2019)
- Martinez v. Kristi Kleaners, Inc., 364 F.3d 1305, 1307 n.5 (11th Cir. 2004)
- Boulas v. United States Postal Serv., No. 1:18-cv-01163-LJO-BAM, 2018 WL 6615075, at *1 (E.D. Cal. Nov. 1, 2018)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)