

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Tiffany Harrison Shabazz, et al. v. Mercy San Juan Medical Center,
et al.**

Shabazz v. Mercy San Juan Medical Center · No. 2:25-cv-02810-DJC-SCR · Decided October 14, 2025

OPINION

Tiffany Harrison Shabazz, et al. v. Mercy San Juan Medical Center, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 TIFFANY HARRISON SHABAZZ, et al., No. 2:25-cv-02810-DJC-SCR 12 Plaintiffs,
ORDER 13 v.

14 MERCY SAN JUAN MEDICAL

CENTER, et al., 15 Defendants. 16 17 Plaintiff1 is proceeding pro se in this matter, which is referred to the undersigned pursuant 18 to Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). Before the court is Plaintiff’s motion for 19 leave to proceed in forma pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an 20 action “without prepayment of fees or security” by a person that is unable to pay such fees). ECF

21 No. 2.

22 The motion makes an insufficient showing to proceed in forma pauperis (“IFP”). The 23 Ninth Circuit has recognized “one need not be absolutely destitute to obtain benefits” of the IFP 24 statute. *Escobedo v. Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015). However, “a plaintiff 25 26 1 Plaintiff Tiffany Harrison Shabazz is the only person who has signed the complaint and purports to bring the complaint on behalf of four minor children. However, a pro se plaintiff 27 cannot represent others pro se, even minor children. See *Johns v. County of San Diego*, 114 F.3d 874, 877 (9th Cir. 1997) (“[W]e hold that a parent or guardian cannot bring an action on behalf of 28 a minor child without retaining a lawyer.”). 1 seeking IFP status must allege poverty with some particularity, definiteness and certainty.” *Id.* 2 (internal citation and quotation omitted). 3 Plaintiff states she has monthly income of \$4,500 (\$2,700 from employment, and \$1,800 4 from “death benefits”). ECF No. 2 at 1-2. Plaintiff states that she supports three minor children. 5 ECF No. 2 at 3. Plaintiff does not list a total for monthly expenses, but if the individual amounts 6 are tallied, it is \$7,133. However, this includes \$3,000 for “recreation, entertainment, 7 newspapers, magazines, etc.” *Id.* at 4. If Plaintiff is expending \$3,000/month on recreation and 8 entertainment, that does not support a finding that she qualifies for IFP status. See *Kamau v. 9 Ertifai*, 2025 WL 2373718,

* 2 (D. Az. Aug. 14, 2025) (“Ultimately, although the disclosed 10 monthly expenses are greater than the disclosed monthly income, it does not appear that all of the 11 disclosed monthly expenses fall within the ‘necessities of life’ that justify IFP status.”); Valentine 12 v. Granville Realty, Inc., 2025 WL 1839935, at *2 (E.D. Cal. July 3, 2025) (“Courts have 13 consistently held that IFP status should not be granted where an applicant can pay the filing fee 14 with acceptable sacrifice to other expenses.”). However, there is a later indication on the form 15 that she paid \$3,000 for “cheer expenses,” in February 2025, so perhaps Plaintiff incorrectly 16 included that amount as a monthly expense. 17 Plaintiff’s motion will therefor be denied. However, Plaintiff may, if she chooses, file a 18 renewed motion to proceed IFP. If she does so, Plaintiff shall take care to fully complete the 19 form, including listing a total monthly income, and total monthly expenses. 20 Accordingly, IT IS HEREBY ORDERED that: 21 1. Plaintiff’s motion to proceed IFP (ECF No. 2) is DENIED without prejudice. 22 2. Plaintiff may file a renewed motion to proceed IFP that addresses the issues set forth 23 herein within 21 days of the date of this Order. 24 3. Alternatively, Plaintiff may pay the filing fee. 25 //// 26 //// 27 //// 28 ////] 4. If Plaintiff does not supplement the application or pay the filing fee within 21 days, 2 the Court may recommend that this action be dismissed. 3 IT IS SO ORDERED. 4 | DATED: October 14, 2025.

6 SEAN C. RIORDAN

7 UNITED STATES MAGISTRATE JUDGE

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