

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Baldwin v. Drellinger

Baldwin · No. 2:25-cv-0783-DC-SCR · Decided August 5, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice Byron William Baldwin’s application to proceed in forma pauperis. The court found that the application did not adequately specify the plaintiff’s income or identify his expenses and therefore did not establish an inability to pay the filing fee. The plaintiff was granted 30 days to submit a completed application or pay the filing fee.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 5, 2025
DOCKET	2:25-cv-0783-DC-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff proceeding pro se applied to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1). The court denied the application without prejudice and permitted plaintiff to reapply or pay the filing fee.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(a)(1), the court evaluates whether the applicant has submitted an affidavit demonstrating inability to pay filing fees. The court also screens the complaint under § 1915(e)(2) and applies the pleading standards of Federal Rule of Civil Procedure 8.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation and no stated precedential designation.
PARTIES	Byron William Baldwin v. David Drellinger, doing business as California Legal Document Preparation

TOPICS

civil procedure

pleadings

negligence

fraud

wrongful foreclosure

PRACTICE AREAS

civil procedure

torts

real estate

QUESTIONS PRESENTED

1. Whether plaintiff's in forma pauperis application adequately demonstrated an inability to pay the filing fee under 28 U.S.C. § 1915(a)(1).
2. Whether the application should be denied without prejudice and plaintiff permitted to submit a more complete application or pay the filing fee.

HOLDINGS

1. An IFP application is insufficient under 28 U.S.C. § 1915(a)(1) when it does not provide sufficiently specific information about income and does not identify expenses, debts, or other financial obligations from which the court can determine whether payment of filing fees would cause financial hardship.
2. When an IFP application is deficient because it lacks adequate financial information, the court may deny it without prejudice and allow the plaintiff to submit a completed application within a specified period or pay the filing fee.

KEY QUOTATIONS

“Plaintiffs application to proceed IFP (ECF No. 2) is *DENIED* with leave to reapply within 30 days or pay the required filing fee.” (Conclusion, page 2)

FACTUAL BACKGROUND

Plaintiff alleged that defendant was hired to prepare legal documents for a wrongful-foreclosure lawsuit, including a lis pendens, a temporary-restraining-order application, and a motion for preliminary injunction. Plaintiff claimed defendant deleted legal arguments, failed to file the TRO application before removal, used forms from the wrong state, and conditioned correction of mistakes on additional payment. In his IFP application, plaintiff reported Airbnb rental income of \$750 per unspecified pay period, \$12 in savings, and a 2002 Chevrolet Avalanche, but did not identify debts or expenses.

PROCEDURAL HISTORY

Baldwin filed a civil action asserting legal-malpractice, negligence, fraud, and deception claims against Drellinger, along with an application to proceed in forma pauperis. The magistrate judge determined that the financial information in the application was insufficient to establish inability to pay because plaintiff did not specify the relevant income period or provide adequate information concerning expenses and debts. The application was denied with leave to reapply within 30 days or pay the filing fee.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319 (1989)
- Erickson v. Pardus, 551 U.S. 89 (2007)
- Scheuer v. Rhodes, 416 U.S. 232 (1974)
- Haines v. Kerner, 404 U.S. 519 (1972)
- Western Mining Council v. Watt, 643 F.2d 618 (9th Cir. 1981)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Akhtar v. Mesa, 698 F.3d 1202 (9th Cir. 2012)

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