

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, COLUMBIA DIVISION

**Alisha Ardis v. Apotsource, Inc.; Krista Ramirez, in her individual
capacity; Michael Ramirez, in his individual capacity**

Ardis · No. Civil Action No. 3:25-4850-MGL-SVH · Decided April 14, 2026

SUMMARY

The United States District Court for the District of South Carolina declined to adopt the magistrate judge’s report and recommendation recommending denial of Alisha Ardis’s application to proceed in forma pauperis. After de novo review and consideration of Ardis’s objections regarding home equity, income, dependents, and debts, the court granted the application.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Columbia Division
WRITING FOR THE COURT	Mary Geiger Lewis
JURISDICTION	United States District Court for the District of South Carolina, Columbia Division
DECIDED	April 14, 2026
DOCKET	Civil Action No. 3:25-4850-MGL-SVH
DISPOSITION	other
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's report and recommendation recommending denial of Plaintiff's application to proceed in forma pauperis. Plaintiff filed objections, and the district court sustained them and granted the application.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report and recommendation to which specific objections were made, under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unknown
PARTIES	Alisha Ardis v. Apotsource, Inc., Krista Ramirez, in her individual capacity, Michael Ramirez, in his individual capacity

TOPICS

civil procedure

title vii

employment law

civil rights

PRACTICE AREAS

civil procedure

employment law

civil rights

QUESTIONS PRESENTED

1. Whether the district court should conduct de novo review of the magistrate judge's recommendation concerning Plaintiff's in forma pauperis application.
2. Whether Plaintiff's reported home equity and financial circumstances disqualified her from proceeding in forma pauperis under 28 U.S.C. § 1915(a).

HOLDINGS

1. The district court must make a de novo determination of portions of a magistrate judge's report and recommendation to which specific objections are made and may accept, reject, modify, or recommit the recommendation.
2. A litigant need not be absolutely destitute to qualify to proceed in forma pauperis; under the circumstances presented, inaccessible equity in a jointly owned home, inconsistent minimal income, a dependent child, substantial expenses, and personal loans did not preclude qualification under 28 U.S.C. § 1915(a).

KEY QUOTATIONS

“A party can qualify to proceed in forma pauperis under 28 U.S.C. § 1915(a) without being “absolutely destitute.””

“The Court hastens to add its decision here to decline to adopt the Report is based on Ardis’s failure to initially provide all the relevant information necessary for an informed decision on her motion to proceed in forma pauperis, as opposed to any error by the learned Magistrate Judge.”

FACTUAL BACKGROUND

Ardis applied to proceed in forma pauperis and reported a home mortgage value of approximately \$350,000, one dependent fourteen-year-old daughter, several thousand dollars in monthly expenses, inconsistent income from selling items on Facebook Marketplace, and more than \$20,000 in personal loans beyond her mortgage. The magistrate judge relied in part on a Zillow estimate that the home was worth \$538,700 and concluded that Ardis appeared to have significant equity. In her objections, Ardis explained that she was not the sole owner and could not access any equity without the assistance of the other owner or owners.

PROCEDURAL HISTORY

Ardis, proceeding pro se, filed an action asserting Title VII and state-law claims and applied to proceed in forma pauperis. The magistrate judge recommended denial on the ground that Ardis appeared to possess substantial equity in her home. After Ardis objected and provided additional information concerning co-ownership of the

home, lack of access to its equity, inconsistent minimal income, a dependent child, expenses, and personal loans, the district court reviewed the matter de novo, declined to adopt the report, and granted in forma pauperis status.

DISPOSITION

other

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270 (1976)
- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339 (1948)

OPINION

Ardis

PER CURIAM.

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF SOUTH CAROLINA

COLUMBIA DIVISION

ALISHA ARDIS, §

§ Plaintiff, § § vs. § Civil Action No. 3:25-4850-MGL-SVH §

APOTHESOURCE, INC.; KRISTA §

RAMIREZ, in her individual § capacity; MICHAEL RAMIREZ, in § his individual capacity, § §
Defendants. §

ORDER DECLINING TO ADOPT THE REPORT AND RECOMMENDATION,

SUSTAINING PLAINTIFF’S OBJECTIONS TO THE REPORT,

AND GRANTING HER APPLICATION TO PROCEED IN FORMA PAUPERIS

Plaintiff Alisha Ardis, proceeding pro se, filed this suit against Defendants Apotthesource, Inc., Krista Ramirez, and Michael Ramirez (collectively, Defendants). She asserts claims under Title VII of the Civil Rights Act of 1964, as well as under state statutory and common law. This matter is before the Court for review of the Report and Recommendation (the Report) of the United States Magistrate Judge suggesting to the Court Ardis’s motion to proceed in forma pauperis be denied. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1). The Magistrate Judge filed the Report on July 2, 2025. Ardis filed Objections to the Report on July 18, 2025. A

party can qualify to proceed in forma pauperis under 28 U.S.C. § 1915(a) without being “absolutely destitute.” *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948). An affidavit is sufficient “which states that one cannot because of his poverty pay or give security for the costs . . . and still be able to provide himself and dependents with the necessities of life.” *Id.* Ardis objects to the Magistrate Judge’s recommendation. She disagrees with the Magistrate Judge’s reliance on equity in her home. Objections at 1-2. In her application, she identified her only asset as “home mortgage value ~ \$350,000.” The Magistrate Judge noted Ardis “appears to have significant equity in her home” because its estimated value on Zillow.com was \$538,700. Report at 4 & n.2. Ardis asserts now, admittedly for the first time, she “is not the sole owner of the home and does not have access to any equity.” Objections at 1-2. Construing Ardis’s filings generously as a pro se litigant, and reviewing the application de novo, the Court will sustain the objection. Although a home is a substantial asset and is correctly considered in reviewing an application to proceed in forma pauperis, the Court is unable to say equity in a home in this situation is so readily accessible it is an adequate resource as to preclude Ardis from qualifying under the statute. As noted above, Ardis now indicates to the Court she is only a co-owner of the home, so any equity is inaccessible without the assistance of the other owner(s). Moreover, in Ardis’s application she reported one dependent, a fourteen-year-old daughter, and several thousand dollars of monthly expenses without any consistent source of income. The Magistrate Judge correctly questioned Ardis’s income because she reported receiving self-employment income without specifying how much income she receives. Report at 2. In Ardis’s Objections, however, she explains her “minimal income” is “infrequent and inconsistent” as it comes from selling items on Facebook Marketplace. Objections at 2. In her application, Ardis also reported over \$20,000 in personal loans beyond her mortgage. Although the Magistrate Judge lacked the benefit of Ardis’s complete explanations to the questions in the application, Ardis has sufficiently answered them now. The Court is willing to consider those explanations for these purposes and holds her circumstances sufficient to proceed in forma pauperis. She can benefit from section 1915 without having to contribute “the last dollar [she has] or can get.” *Adkins*, 335 U.S. at 339. Accordingly, the Court will sustain Ardis’s objections to the Report. Ardis is cautioned, however, future filings and proceedings must be thorough and complete. So long as she proceeds without counsel, she is responsible for ensuring she adequately presents all facts and arguments she wishes to make at the time of any initial filing with the Court. After a thorough review of the Report and the record in this case under the standard set forth above, the Court sustains Ardis’s objections and declines to adopt the Report. Therefore, it is the judgment of the Court Ardis’s motion to proceed in forma pauperis is GRANTED. The Court hastens to add its decision here to decline to adopt the Report is based on Ardis’s failure to initially provide all the relevant information necessary for an informed decision on her motion to proceed in forma pauperis, as opposed to any error by the learned Magistrate Judge. IS SO ORDERED. Signed this 14th day of April, 2026, in Columbia, South Carolina. s/ Mary Geiger Lewis

MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

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