

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, EASTERN DIVISION

Edward Howell Robertson v. Haywood County Jail

Robertson · No. 1:26-cv-01076-JDB-tmp · Decided April 13, 2026

SUMMARY

This order directs incarcerated plaintiff Edward Howell Robertson to comply with the requirements of 28 U.S.C. § 1915(a)(1)-(2) by submitting a certified six-month trust account statement or paying the \$405 civil filing fee. It provides thirty days for compliance and warns that failure to comply may result in denial of in forma pauperis status, assessment of the full fee, and dismissal under Federal Rule of Civil Procedure 41(b).

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Eastern Division
WRITING FOR THE COURT	J. Daniel Breen
JURISDICTION	United States District Court for the Western District of Tennessee, Eastern Division
DECIDED	April 13, 2026
DOCKET	1:26-cv-01076-JDB-tmp
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner filed a pro se civil-rights complaint under 42 U.S.C. § 1983 and an application to proceed in forma pauperis. The district court directed him to pay the full filing fee or submit a certified six-month trust-account statement before his IFP request could be considered.
PRECEDENTIAL VALUE	district court order; precedential status not stated
PARTIES	Edward Howell Robertson v. Haywood County Jail

TOPICS

- prisoners rights
- section 1983
- civil procedure
- costs
- sanctions

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner litigation
- In forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether a prisoner seeking to proceed in forma pauperis must submit a certified copy of the trust-account statement for the six months preceding the filing of the complaint.
2. Whether the court may direct the prisoner to pay the full civil filing fee or submit the required trust-account statement and warn that noncompliance may result in denial of IFP status, assessment of the entire fee, and dismissal.

HOLDINGS

1. Under 28 U.S.C. § 1915(a)(2), a prisoner seeking to use the PLRA installment-payment procedure must submit, with the complaint, an IFP affidavit and a certified copy of the prisoner's trust-account statement for the six months immediately preceding filing.
2. If Robertson fails to comply timely, the court may deny leave to proceed in forma pauperis, assess the entire \$405 filing fee from his trust account without the installment procedure, and dismiss the action under Federal Rule of Civil Procedure 41(b).

FACTUAL BACKGROUND

Edward Howell Robertson was incarcerated at the Haywood County Jail in Brownsville, Tennessee when he filed a pro se § 1983 complaint. He also sought leave to proceed in forma pauperis but submitted neither the required certified trust-account statement for the preceding six months nor the filing fee. The court therefore required him to cure the deficiency by paying the full \$405 fee or filing the certified account statement.

PROCEDURAL HISTORY

On April 9, 2026, Robertson filed a § 1983 complaint and a short-form IFP application. He had neither paid the \$405 civil filing fee nor submitted the certified trust-account statement required by the Prison Litigation Reform Act. The court ordered compliance within thirty days and warned that failure to comply could result in denial of IFP status, assessment of the full fee, and dismissal under Federal Rule of Civil Procedure 41(b).

DISPOSITION

other

CASES CITED

- McGore v. Wrigglesworth, 114 F.3d 601, 605 (6th Cir. 1997)
- LaFountain v. Harry, 716 F.3d 944, 951 (6th Cir. 2013)
- Bruce v. Samuels, 577 U.S. 82, 84-85 (2016)