

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Maurice Daronte Davis, et al. v. Jeff Lynch, et al.

No. 2:24-cv-03275-EFB (PC), United States District Court for the Eastern District of California (November 19,
2025)

SUMMARY

The United States District Court for the Eastern District of California directs plaintiff Brandyn Howard to either submit a compliant application to proceed in forma pauperis or pay the required filing fees within thirty days. The court warns that failure to comply will result in a recommendation of dismissal and denies the plaintiffs' motion to expedite ruling.

OPINION

Maurice Daronte Davis, et al. v. Jeff Lynch, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MAURICE DARONTE DAVIS, et al., No. 2:24-cv-03275-EFB (PC) 12 Plaintiffs, 13 v.
ORDER 14 JEFF LYNCH, et al., 15 Defendants. 16 17 Plaintiffs, two state prisoners proceeding
pro se, filed a civil rights action pursuant to 42 18 U.S.C. § 1983. Plaintiff Maurice Daronte Davis
has submitted an application to proceed in forma 19 pauperis. ECF No. 2. Plaintiff Brandyn
Howard has not filed an in forma pauperis affidavit or 20 paid the required filing fee of \$350.00
plus the \$55.00 administrative fee.¹ See 28 U.S.C. §§ 21 1914(a), 1915(a). 22 A court may allow
multiple prisoners to proceed in a federal lawsuit provided the standard 23 of Federal Rule of
Civil Procedure 20(a)(1) is satisfied. However, if the joint-filing prisoners 24 proceed in forma
pauperis under 28 U.S.C. § 1915, each prisoner must qualify for in forma 25 pauperis status and
pay the full filing fee in installments. Johnson v. High Desert State Prison, 26 1 If leave to file in
forma pauperis is granted, plaintiff will still be required to pay the 27 filing fee but will be allowed
to pay it in installments. Litigants proceeding in forma pauperis are not required to pay the \$55.00
administrative fee. 28 1 | 127 F.4th 123, 137 (9th Cir. 2025).? 2 Plaintiff Howard is provided the
opportunity either to submit the appropriate affidavit in 3 || support of a request to proceed in
forma pauperis or to submit the required fees totaling \$405.00. 4 Plaintiff Howard is cautioned
that the in forma pauperis application form includes a 5 || section that must be completed by a
prison official, and the form must be accompanied by a 6 || certified copy of plaintiff's prison trust
account statement for the six-month period immediately 7 || preceding the filing of this action. 8 In

accordance with the above, IT IS HEREBY ORDERED that: 9 1. Plaintiff Howard shall submit, within thirty days from the date of this order, an 10 || affidavit in support of his request to proceed in forma pauperis on the form provided by the Clerk 11 || of Court, or the required fees in the amount of \$405.00; plaintiff Howard's failure to comply with 12 || this order will result in a recommendation that he be dismissed from this action; 13 2. The Clerk of the Court is directed to send plaintiff Howard a new Application to 14 || Proceed In Forma Pauperis By a Prisoner. 15 3. Plaintiffs' June 9, 2025 motion to expedite ruling (ECF No. 9) is DENIED. The court 16 | will act on plaintiffs' case in due course following the filing of either a satisfactory in forma 17 || pauperis application or filing fee from plaintiff Howard. 19 || Dated: November 19, 2025 Zatl Ubtel 7 eC ZACYK*

20 UNITED STATES MAGISTRATE JUDGE

21 22 23 24 25 26 27 ? Alternatively, multiple prisoners who wish to proceed jointly in a suit may proceed without in forma pauperis status under 28 U.S.C. § 1914 by paying a single filing fee up front. 28 || Johnson, 127 F Ath at 133.