UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

PERRIELIN SESSIONS,

Plaintiff,

v.

SOLANO COUNTY HEALTH AND SOCIAL SERVICES, et al.,

Defendants.

No. 2:25-cv-2936-DAD-CKD (PS)

ORDER

Plaintiff Perrielin Sessions proceeds without counsel and seeks to proceed in forma pauperis. This matter is before the undersigned pursuant to Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). Plaintiff initiated this action with a complaint and an application to proceed in forma pauperis ("IFP"). (ECF Nos. 1, 2.)

Presently, the applicable court costs include a $350.00 filing fee and $55.00 administrative fee. The court may authorize the commencement of an action "without prepayment of fees" by an individual who submits an affidavit evidencing an inability to pay such fees. 28 U.S.C. § 1915(a). "An affidavit in support of an IFP application is sufficient where it alleges that the affiant cannot pay the court costs and still afford the necessities of life." Escobedo v. Applebees, 787 F.3d 1226,

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1234 (9th Cir. 2015) (citing Adkins v. E.I. Du Pont de Nemours & Co., Inc., 335 U.S. 331, 339 (1948)); see also United States v. McQuade, 647 F.2d 938, 940 (9th Cir. 1981) (affidavit must "state the facts as to affiant's poverty with some particularity, definiteness and certainty" (internal quotation omitted)).

According to the plaintiff's affidavit, plaintiff receives $2000.00 in gross pay and $1,500.00 in take home pay each pay period. However, plaintiff did not specify whether the pay period is monthly, biweekly, or some other frequency. While § 1915(a) does not require a litigant to demonstrate "absolute destitution," Adkins, 335 U.S. at 339, the applicant must nonetheless show inability to pay the fees. 28 U.S.C. § 1915(a). The current application does not allow the court to calculate plaintiff's income and therefore does not demonstrate indigency. The application to proceed IFP will be denied without prejudice to plaintiff re-filing a fully completed application. In the alternative, plaintiff may submit the court costs the Clerk of the Court to proceed with this case.

For the reasons set forth above, IT IS ORDERED as follows:

1. Plaintiff's application to proceed IFP (ECF No. 2) is DENIED without prejudice to renewal.
2. Within thirty (30) days from the date of this order, plaintiff shall either pay the filing fee and administrative fee or file a fully completed and signed affidavit to proceed without prepayment of fees.
3. Plaintiff is cautioned that failure to pay the court costs or file a renewed IFP affidavit will result in a recommendation that this case be dismissed.

Dated: November 20, 2025



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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