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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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11 ARTIS-RAY CASH JR.,

12 Plaintiff,

13 v.

14 EXPERIAN INFORMATION
15 SOLUTIONS, INC., and
16 MONTEREY FINANCIAL
SERVICES, LLC,

17 Defendants.
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Case No. 8:25-cv-00165-JWH-ADSx

**ORDER GRANTING
DEFENDANT'S MOTION TO
DISMISS [ECF No. 22]**

1 Plaintiff Artis-Ray Cash, Jr. commenced this action against Defendants
2 Experian Information Solutions, Inc. and Monterey Financial Services, LLC in
3 January 2025.¹ Cash asserts two claims for relief against Defendants:
4 (1) violations of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681 *et seq.*
5 (“FCRA”); and (2) violations of the Fair Debt Collection Practices Act, 15
6 U.S.C. §§ 1692 *et seq.*²

7 Cash, who appears *pro se*, also filed an application to proceed *in forma*
8 *pauperis*, as well as a sworn statement regarding his available income.³ Based
9 upon the information that Cash provided, the Court granted his IFP
10 Application.⁴ In April 2025, however, Monterey moved to dismiss Cash’s
11 claims because Cash failed to disclose settlement income that Cash—who is a
12 serial litigant—earned through prior FCRA cases.⁵ Cash does not dispute that
13 he earned income through prior settlements nor that he omitted that
14 information from his IFP Application.⁶ Cash also does not dispute that he has
15 omitted that information from other applications that he has filed in this
16 District.⁷

17 Pursuant to 28 U.S.C. § 1915(e)(2)(A), a court “shall dismiss” a case in
18 which a request to proceed *in forma pauperis* was granted “if the court
19 determines that . . . the allegation of poverty is untrue.” Although the Ninth
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21 ¹ See Complaint [ECF No. 1].

22 ² See generally *id.*

23 ³ See Request to Proceed *in Forma Pauperis* (the “IFP Application”) [ECF
24 No. 2].

25 ⁴ See Order on the IFP Application [ECF No. 7].

26 ⁵ See Defs.’ Mot. to Dismiss (the “Motion”) [ECF No. 22].

27 ⁶ See Pl.’s Opp’n to Motion (the “Opposition”) [ECF No. 24].

28 ⁷ See *id.*; see also Decl. of Berj K. Paseghian in Supp. of the Motion [ECF
No. 23] (listing cases).

1 Circuit has interpreted that statute to require a showing of bad faith, *see Esobedo*
2 *v. Applebees*, 787 F.3d 1226, 1234 n.8 (9th Cir. 2015), that requirement is satisfied
3 by “deliberate concealment of income in order to gain access to a court without
4 prepayment of filing fees,” *Roberts v. Beard*, 2019 WL 3532183, at *3 (S.D. Cal.
5 Aug. 2, 2019). Additionally, if the applicant “knowingly provided inaccurate
6 information on his or her IFP application, the dismissal may be with prejudice.”
7 *Steshenko v. Gayrard*, 2015 WL 1503651, at *5 (N.D. Cal. Apr. 1, 2015).

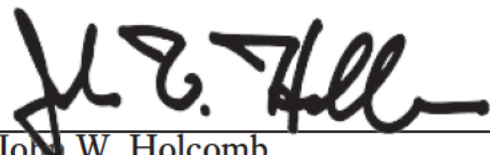
8 In view of Cash’s failure to contest that he earned settlement income from
9 prior FCRA cases, the Court concludes that Cash’s allegation of poverty was
10 untrue. Additionally, in view of Cash’s failure to explain why he omitted that
11 information and of the various other applications in which Cash also omitted
12 that information, the Court likewise concludes that Cash deliberately concealed
13 his prior settlement income in order to gain access to this Court without
14 prepayment of filing fees. *See Roberts*, 2019 WL 3532183, at *3.

15 Accordingly, the Court hereby **ORDERS** as follows:

- 16 1. Monterey’s instant Motion [ECF No. 22] is **GRANTED**.
- 17 2. This action is **DISMISSED with prejudice**.
- 18 3. The hearing on Monterey’s Motion [ECF No. 22] and the
19 Scheduling Conference are **VACATED**.
- 20 4. Judgment shall issue accordingly.

21 **IT IS SO ORDERED.**

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23 Dated: May 6, 2025

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25 John W. Holcomb
26 UNITED STATES DISTRICT JUDGE
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