

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

THEODORE HAUGLAND,

Plaintiff,

v.

ALLSTATE INDEMNITY  
COMPANY,

Defendant.

CIV. NO. 26-00134 JMS-WRP

ORDER GRANTING IFP  
APPLICATION, ECF NO. 2, AND  
DIRECTING SERVICE OF THE  
COMPLAINT

**ORDER GRANTING IFP APPLICATION, ECF NO. 2, AND DIRECTING  
SERVICE OF THE COMPLAINT**

Before the court is pro se Plaintiff Theodore Haugland's ("Plaintiff") Application to Proceed in District Court Without Prepaying Fees or Costs ("IFP Application"), ECF No. 2, which he filed with a Complaint, ECF No. 1, against Defendant Allstate Indemnity Company ("Allstate"). As set forth below, the court GRANTS Plaintiff's IFP Application and DIRECTS SERVICE of the Complaint.

Federal courts may authorize the commencement of any suit without prepayment of fees or security by a person who submits an affidavit that includes a statement of all assets the person possesses, demonstrating that he is unable to pay such costs or give such security. *See* 28 U.S.C. § 1915(a)(1). "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, 1234 (9th Cir. 2015) (citing *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339 (1948)).

When reviewing a motion pursuant to § 1915(a), the court must determine whether the plaintiff has alleged poverty ““with some particularity, definiteness and certainty.”” *Escobedo*, 787 F.3d at 1234 (quoting *United States v. McQuade*, 647 F.2d 938, 940 (9th Cir. 1981)). Although § 1915(a) does not require a litigant to demonstrate “absolute[] destitut[ion],” *Adkins*, 335 U.S. at 339, the applicant must nonetheless show that he or he is “unable to pay such fees or give security therefor.” 28 U.S.C. § 1915(a)(1). The court has reviewed Plaintiff’s IFP application and determines that he has made the required showing under 28 U.S.C. § 1915(a) to proceed in forma pauperis (i.e., without prepayment of fees). The court therefore GRANTS Plaintiff’s IFP Application. Furthermore, the court has reviewed the Complaint and DIRECTS service as follows:

(1) The Clerk is directed to send to Plaintiff one copy of the Complaint, ECF No. 1; one completed summons; and one USM-285 form with instructions.

(2) The Clerk shall also send a copy of this Order to the U.S. Marshal at P.O. Box 50184, Honolulu, HI 96850.

(3) Plaintiff shall complete one set of forms for delivery to Allstate. Plaintiff shall send the following to the U.S. Marshal at P.O. Box 50184, Honolulu,

HI 96850: one completed USM-285 form; one copy of the Complaint, ECF No. 1; and the completed summons.

(4) Upon receipt of these documents from Plaintiff, the U.S. Marshal shall deliver a copy of the completed summons and the Complaint, ECF No. 1, to Allstate as directed by Plaintiff without payment of costs.

(5) Plaintiff is cautioned that if he fails to comply with this Order and his non-compliance prevents timely and proper service as set forth in Federal Rule of Civil Procedure 4(m), this action is subject to dismissal for failure to serve.

(6) Allstate shall respond to the Complaint, ECF No. 1, within the time set forth in Federal Rule of Civil Procedure 12.

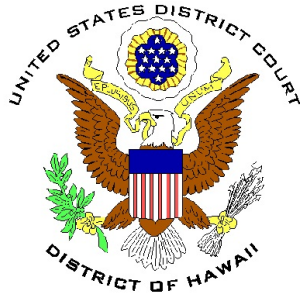
(7) Plaintiff shall inform the court of any change of address by filing a “NOTICE OF CHANGE OF ADDRESS.” The notice shall contain only information about the change of address and its effective date and shall not include requests for other relief. Failure to file such notice may result in the dismissal of the action for failure to prosecute under Federal Rule of Civil Procedure 41(b).

(8) After the Complaint, ECF No. 1, is served and Allstate has filed an answer or responsive pleading, Plaintiff’s documents will be deemed served when they are electronically filed by the court. The United States Marshal is not responsible for serving these documents on Plaintiff’s behalf.

(9) Until the Complaint, ECF No. 1, is served and Allstate responds, Plaintiff SHALL NOT FILE MOTIONS OR OTHER DOCUMENTS with the court.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, March 23, 2026.



/s/ J. Michael Seabright  
J. Michael Seabright  
United States District Judge