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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DESMOND WITHERSPOON, Plaintiff, v. SHAMEEKA ROSARIO, Defendant.	**Civil Action No. 14-6823 (SRC)** **OPINION**

CHESLER, District Judge

This matter comes before the Court on the application filed by Plaintiff Desmond Witherspoon to proceed in forma pauperis without fees under 28 U.S.C. § 1915. The Court finds that Plaintiff qualifies for in forma pauperis status, yet his Complaint will be dismissed. The Court must examine Plaintiff's claim and dismiss it if frivolous or legally insufficient. 28 U.S.C. § 1915(e)(2). Here, Plaintiff states as his "cause of action" the following: "Soliciting Sex: Sexual Abuse." He demands, as relief, a "Sex Contract." No factual allegations are made, and no information concerning the basis for the Court's jurisdiction is provided. As such, Plaintiff has failed to state a basis for federal subject matter jurisdiction, and he has failed to state a facially plausible claim for relief. Moreover, this Complaint is identical to another submitted by Witherspoon, docketed as 14-6824, and dismissed by Order of November 5, 2014. For the reasons provided in the Opinion for Civil Action No. 14-6296, Plaintiff is on notice that he may be sanctioned if he continues to file unsubstantiated and repetitive lawsuits. An appropriate Order will be filed.

s/Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge

Dated: November 6, 2014

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