

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MIA R. TAYLOR,)	
)	
Plaintiff,)	Civil Action No. 2:16-cv-01862
)	
v.)	U.S. District Judge Mark R. Hornak
)	
DRUG ENFORCEMENT)	
ADMINISTRATION (D.E.A.),)	
)	
Defendant.)	

MEMORANDUM OPINION

Mark R. Hornak, United States District Judge

In this action, the Plaintiff Mia R. Taylor appears *pro se*. She is seeking *in forma pauperis* (“IFP”) status to pursue what appears to be some sort of civil action relative to the forfeiture of some sort of property, seemingly by the federal Drug Enforcement Administration (“DEA”), none of which is described in detail in her “Motion to Set Aside Forfeiture”, all filed at ECF No. 1 in this case.

Ms. Taylor says that she is a resident in Phoenix, Arizona. Records available on PACER reveal that she was recently indicted by a federal grand jury in that locale for a bevy of federal firearms offenses, and the indictment contains forfeiture allegations as to a fleet of guns and ammo. *See United States v. Mia Rochelle Taylor*, No. 16-cr-1377-DLR-1 (D. Ariz. Nov. 15, 2016) at ECF No. 1. Nowhere in those papers, or in those filed here, is any relationship with this judicial district revealed, nor does an examination of the papers that Ms. Taylor has filed here, or of those filed against her in Arizona, demonstrate any basis for this Court to exercise its federal jurisdiction and grant any sort of judicial or other relief to Ms. Taylor.

As this Court previously noted, in a case filed in this format, the Court applies a two-step process. The first is to determine whether the papers of record reveal that IFP status is warranted. Then, if the answer to that question is “yes” the Court proceeds to examine the complaint/moving papers of the plaintiff to determine if they state a claim for relief under the applicable law. If the answer to that query is “no”, then the Court dismisses the filing with leave to amend, unless the Court concludes that any such amendment would be futile. *See Detar v. U.S. Government*, No. 13-1499, 2014 WL 517715 (W.D. Pa. Feb. 7, 2014).

The Court has examined the filings of the Plaintiff in this case, and concludes that IFP status is supported by them, and it will be granted. However, the balance of the Plaintiff’s papers in this Court fail to demonstrate any basis to conclude that venue over the matters stated would lie in this judicial district, or that any relief is available to the Plaintiff in this Court, or any other. The papers filed here make general assertions about the wrongful forfeiture of some property (perhaps currency, but that is vague also), with no details at all. Those papers list as an “attorney for defendant” one Larry D’Orazio of Springfield, Virginia, who based on his “leo.gov” email address as discovered on-line may have something to do with federal law enforcement auctions.

The Court has considered the provisions of 18 U.S.C. § 983, along with the provisions of Fed. R. Civ. P. Rules C, E and G, and matching them up against the assertions of the “motion” filed here, the Court still cannot divine what the Plaintiff is talking about, why she believes these matters are ripe for disposition, why this Court would be the place to do any of that, and what relief she would be entitled to. The long and the short of it is that the Motion filed by the Plaintiff simply falls short of any minimal standard, even liberally construed, for the assertion of a claim in federal court.

Therefore, the Court will grant the Plaintiff's request for IFP status, and will then dismiss the "Motion to Set Aside Forfeiture", ECF No. 1, without prejudice and with leave to amend. Any such amended pleading shall be filed on or before January 20, 2017. The failure to do so may result in such dismissal being converted to a dismissal with prejudice without further notice. An appropriate Order will be issued.



Mark R. Hornak
United States District Judge

Dated: December 27, 2016

cc: Mia R. Taylor
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Larry D'Orazio
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