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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Frank Pauline, Jr.)	No. CV 10-248-PHX-GMS (MHB)
Plaintiff,)	ORDER
vs.)	
Chris Loos, et al.,)	
Defendants.)	

On February 2, 2010, Plaintiff Frank Pauline, Jr., who is confined in the Corrections Corporation of America-Saguaro Correctional Center in Florence, Arizona, filed a *pro se* Complaint (Doc. #1). In a March 4, 2010 Order, the Court directed Plaintiff to pay the \$350.00 filing fee or file an Application to Proceed to Proceed *In Forma Pauperis*. Plaintiff filed a deficient Application to Proceed on March 15, 2010, which the Court denied with leave to re-file. On April 9, 2010, Plaintiff filed a second Application to Proceed *In Forma Pauperis* and certified account statement. On May 4, 2010, the Court granted the second Application to Proceed and dismissed the Complaint with leave to amend.

On May 14, 2010, Plaintiff filed a “Clarification” in which he asks that the Court review Plaintiff’s Complaint as originally filed. The Court will treat the “Clarification” as a motion for reconsideration of the screening Order and will deny it.

First, the Court notes that Plaintiff’s Complaint was dismissed for failure to allege a jurisdictional basis. Accordingly, the Court cannot accept Plaintiff’s Complaint in its original form. See Watson v. Chessman, 362 F. Supp. 2d 1190, 1194 (S.D. Cal. 2005) (“The

1 court will not . . . infer allegations supporting federal jurisdiction; federal subject matter
2 [jurisdiction] must always be affirmatively alleged.”).

3 Further, to the extent that Plaintiff asserts he is filing a copyright complaint and not
4 a civil rights complaint, and should therefore be allowed to proceed without use of the form,
5 Plaintiff is mistaken. Local Rule of Civil Procedure 3.4(a) requires that “all complaints
6 . . . by incarcerated persons shall be signed and legibly written or typewritten on forms
7 approved by the Court.” This rule applies to all incarcerated person regardless of the nature
8 of their claims. Plaintiff should use the form provided to him to file an amended complaint
9 and may modify the form as necessary to reflect that he is not raising a civil rights complaint.

10 **IT IS THEREFORE ORDERED** that Plaintiff’s “Clarification” (Doc. # 10), which
11 the Court construes as a motion for reconsideration of the screening Order, is **denied**.

12 DATED this 24th day of May, 2010.

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15 G. Murray Snow
16 United States District Judge
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