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**IN THE UNITED STATES DISTRICT COURT**

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**FOR THE DISTRICT OF ARIZONA**

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Nirobia G. Bracy,

No. CV-15-02347-PHX-JAT

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Plaintiff,

**ORDER**

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v.

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Phoenix, City of, et al.,

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Defendants.

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Pending before the Court is Defendants' motion for screening pursuant to 28 U.S.C. § 1915(e) which includes an argument for why this Court should dismiss this case at the screening stage. Because the filing fee was paid before the Federal Court, and because Plaintiff is not in custody, this Court finds no basis to screen the complaint pursuant to 28 U.S.C. § 1915(e). Accordingly, the motion will be denied. Defendants shall answer or otherwise respond to the complaint (including filing a motion to dismiss on the same or different grounds as those identified in the motion for screening if they deem that to be the appropriate course) as set forth below.

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**IT IS ORDERED** that the motion for screening (part of Doc. 4) is denied. The motion to dismiss (part of Doc. 4) is denied without prejudice.

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**IT IS FURTHER ORDERED** that Defendants shall answer or otherwise respond to the complaint by January 12, 2016.

Dated this 23rd day of December, 2015.



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James A. Teilborg  
Senior United States District Judge