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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Stanley R. Waff,

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No. CV 10-8027-PHX-MHM

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Plaintiff,

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ORDER

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vs.

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Navajo County, et al.,

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Defendants.

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Pending before the Court are Plaintiff’s Motion for Leave to Proceed In Forma Pauperis (Doc. # 4) and Motion to Grant to Present Evidence (Doc. # 6). The Court has screened Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2) and will dismiss it for failure to state a claim. “[S]ection 1915(e) not only permits but requires a district court to dismiss an in forma pauperis complaint that fails to state a claim.” Lopez v. Smith, 203 F.3d 1122, 1127 (9th Cir. 2000).

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Rule 8(a) of the Federal Rules of Civil Procedure requires that:

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A pleading which sets forth a claim for relief, whether an original claim, counter-claim, cross-claim, or third-party claim, shall contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, unless the court already has jurisdiction and the claim needs no new grounds of jurisdiction to support it, (2) a short and plain statement of the claim showing that the pleader is entitled to relief, and (3) a demand for judgment for the relief the pleader seeks. Relief in the alternative or of several different types may be demanded.

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1 Here, Plaintiff merely lists a number of defendants followed by the incomprehensible
2 statement, “unjust, nonconstitutional, opposieres unduly oppersiation [complaint].” As a
3 result, the Court cannot determine the nature of this lawsuit. Accordingly,

4 **IT IS ORDERED** striking Plaintiff’s complaint for failure to comply with Federal
5 Rule of Civil Procedure 8(a). (Doc. #1)

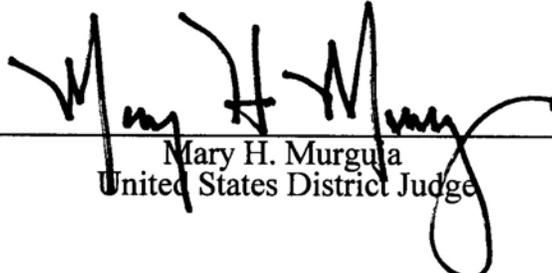
6 **IT IS FURTHER ORDERED** denying as moot Plaintiff’s Motion to Proceed in
7 Forma Pauperis. (Doc. # 4)

8 **IT IS FURTHER ORDERED** denying as moot Plaintiff’s Motion to Grant to Present
9 Evidence. (Doc. # 6)

10 **IT IS FURTHER ORDERED** that Plaintiff may file an Amended Complaint in
11 compliance with Rule 8(a) no later than 30 days from the date of this order. If no Amended
12 Complaint is filed this case will be dismissed without further notice.

13 DATED this 21st day of February, 2010.

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Mary H. Murgula
United States District Judge