

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES--GENERAL

Case No. **CV 15-01370-JLS (KK)**

Date: **April 21, 2015**

Title: Richard Stanley Sandoval v. James Patrick Murphy

DOCKET ENTRY

PRESENT:

HON. KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE

Deb Taylor
Deputy Clerk

None
Court Reporter/Recorder

ATTORNEYS PRESENT FOR PLAINTIFF(S):

None

ATTORNEYS PRESENT FOR DEFENDANT(S):

None

PROCEEDINGS: (IN CHAMBERS)

This is a *pro se* civil rights complaint filed by plaintiff Richard Stanley Sandoval. On February 26, 2015, Plaintiff filed a Complaint against Defendant James Patrick Murphy. ECF Docket No. 1. Plaintiff filed a request to proceed *in forma pauperis* in connection with his complaint.

In the Complaint, Plaintiff alleged Defendant failed to provide him with \$50,000-\$60,000 in proceeds from a divorce settlement. Because the sole Defendant is a private attorney, the Court found there to be no basis for finding Defendant was acting under color of law. See e.g., Polk County v. Dodson, 454 U.S. 312, 325, 102 S. Ct. 445, 70 L. Ed. 2d 509 (1981).

Hence, on March 6, 2015, the Court denied Plaintiff's request to proceed *in forma pauperis*. ECF Docket No. 4. The Court further found denial of Plaintiff's request to proceed *in forma pauperis* appropriate because Plaintiff had failed to authorize disbursements from his prison trust account. Id. The Court granted Plaintiff's leave to amend within 30 days. Id. Plaintiff failed to file a response within the 30 days provided and, thus, the case was closed on April 7, 2015.

On April 16, 2015, Plaintiff filed a certified copy of his inmate trust account. ECF Docket No. 6. Plaintiff's response is untimely. Moreover, Plaintiff's response fails to address the Court's reasons for denying his request to proceed *in forma pauperis* in that it (1) fails to address the fact that Plaintiff purported to file a civil rights claim against a private party; and (2) fails to authorize disbursements from his prison trust account.

The case remains closed.

Initials of Deputy Clerk

dts