

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BERNARD CLARK,

Plaintiff,

V.

CAPITAL INCOME AND GROWTH FUND, LLC, et al.,

Defendants.

Case No. 1:15-cv-01479-SMS

ORDER GRANTING APPLICATION
TO PROCEED *IN FORMA PAUPERIS*

(Doc. 2)

By motion filed on May 29, 2015, Plaintiff Bernard Clark seeks to proceed *in forma pauperis*. Plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Accordingly, the court GRANTS Plaintiff's motion to proceed *in forma pauperis*.

Plaintiff is advised that under 28 U.S.C. § 1915(e)(2), the court must conduct an initial review of all pro se complaints to determine whether it sets forth a sufficient claim(s). The court must dismiss a complaint or portion thereof if the court determines that the action is legally: “(i) frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2). If the court determines that the complaint fails to state a claim, leave to amend may be granted to the extent that the deficiencies can be cured by amendment. Plaintiff is advised that his complaint will be screened in due course.

IT IS SO ORDERED.

Dated: **October 1, 2015**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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