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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DMITRIY YEGOROV,
Plaintiff,
v.
GOVERNMENT USA,
Defendant.

No. 2:17-cv-01110-MCE-GGH

FINDINGS AND RECOMMENDATIONS

Plaintiff filed his complaint, ECF No.1, and a motion to proceed with the suit in forma pauperis, ECF No. 2 on May 26, 2017. The court has examined the in forma pauperis motion and finds that the plaintiff provided no information about his available funds or his expenses responding to each inquiry with the entry “N/A.” This does not provide the court with any basis to determine plaintiff’s status unless he intends to convey the information that he is homeless, has no income, has no available funds to take care of his needs, and yet his complaint speaks of spending money at a convenience store. Thus the court cannot grant this Motion. But the deficiencies of the complaint require dismissal in any event.

Plaintiff purports to sue the United States Government for failing to give him change for \$20 when he purchased something unnamed in “grocery outlet” in Sacramento. ECF No. 1 at 2. It is difficult to accept the apparent representation that an employee of the United States government was tending the cash register in a grocery store in the first instance, and secondarily

1 there is no indication who the government employee was, by which government office or
2 department he or she is employed, or any other information which would permit service of the
3 complaint on the defendant. In essence, the court has no idea who did what to plaintiff and where
4 that person can be found for purposes of service.

5 Give the foregoing deficiencies in the complaint at issue here, the court will recommend
6 dismissal without leave to amend. While generally leave to amend should be granted, the
7 allegations here are so fanciful that the undersigned finds no possibility that a valid claim could
8 be stated.

9 In light of the foregoing IT IS HEREBY RECOMMENDED that: Plaintiff's complaint be
10 dismissed without leave to amend.

11 These findings and recommendations are submitted to the United States District Judge
12 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days
13 after being served with these findings and recommendations, plaintiff may file written objections
14 with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings
15 and Recommendations." Failure to file objections within the specified time may waive the right
16 to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

17 DATED: May 25, 2018

18 /s/ Gregory G. Hollows
19 GREGORY G. HOLLOWS
20 UNITED STATES MAGISTRATE JUDGE
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