

United States District Court

For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KIA CHEVALIER,

Plaintiff,

v.

SUTTER HOTEL,

Defendant.

No. C-07-0401 MMC

**ORDER DENYING APPLICATION TO
PROCEED IN FORMA PAUPERIS WITH
LEAVE TO AMEND; DISMISSING
COMPLAINT WITH LEAVE TO AMEND**

Before the Court is plaintiff Kia Chevalier's application to proceed in forma pauperis in the above-titled action. Plaintiff's application is incomplete. In particular, plaintiff fails to provide the amount of social security disability benefits she receives monthly, the total amounts owed on her MasterCard and Visa accounts and her student loans, and the monthly payments owed on such debts. Consequently, the Court cannot determine whether plaintiff is able to pay the requisite filing fee.

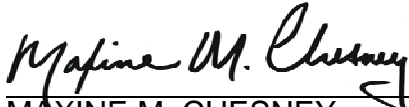
Moreover, even if plaintiff had filed an adequate application to proceed in forma pauperis, her complaint fails to state a claim because she alleges no facts suggesting that this Court has jurisdiction over her complaint or that defendant violated any law. See 28 U.S.C. § 1915(e)(2) (requiring court to dismiss action if plaintiff seeking to proceed in forma pauperis "fails to state a claim on which relief may be granted"); Fed. R. Civ. P. 8(a) (requiring complaint to include "short and plain statement of the grounds upon which the

1 court's jurisdiction depends" and "short and plain statement of the claim showing that the
2 pleader is entitled to relief").

3 Accordingly, plaintiff's motion to proceed in forma pauperis is hereby DENIED and
4 the complaint is hereby DISMISSED. No later than February 23, 2007, plaintiff may file an
5 amended application to proceed in forma pauperis and an amended complaint, curing the
6 above-noted deficiencies in each such filing.

7 **IT IS SO ORDERED.**

8 Dated: January 24, 2007


MAXINE M. CHESNEY
United States District Judge

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