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

RICK P. SMITH,

No. C 07-3045 WHA (PR)

Plaintiff,

**DISMISSAL WITH LEAVE TO
AMEND**

v.

PERRY, A., et al.,

Defendants.

_____ /
This case was opened when an envelope was received from plaintiff, an inmate of the Contra Costa County Jail, containing three letters of complaint about events at the jail. In an effort to protect plaintiff's rights, they were treated as an attempt to open a new civil rights case.

Because the letters were not accompanied by a filing fee or application for leave to proceed in forma pauperis ("IFP"), the clerk sent plaintiff a notice to that effect, along with an IFP form and a return envelope. Plaintiff has now filed the IFP application, which suggests he does indeed intend this to be a new case.


The three letters with which plaintiff commenced this case do not amount to a proper complaint. Among other things, plaintiff does not say who he intends to be the defendants, nor what relief he wants. The letters, treated as a complaint, are therefore **DISMISSED** with leave to file an amended complaint on the court's form for prisoner Section 1983 actions. The amended complaint must be filed by a date thirty days from the date this order is entered or the case will be dismissed. It must be on the court's form, and plaintiff must write "First Amended

United States District Court
For the Northern District of California

1 Complaint” and the case number of this case on the first page. The clerk shall send plaintiff the
2 court’s form packet for section 1983 cases. Because he has been granted leave to proceed IFP,
3 plaintiff need not file the IFP application contained in the form packet.
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5 **IT IS SO ORDERED.**

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7 Dated: July 2, 2007.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE