







1 pauperis application and caused Plaintiff wrong and harm through her  
2 words and actions. Plaintiff fails to state a claim for relief  
3 under § 1983.

4 The record contradicts Plaintiff's claim that defendant  
5 prevented him from filing his in forma pauperis application;  
6 Plaintiff filed a complete in forma pauperis application on June 4,  
7 2012 and June 6, 2012. Doc. ## 5 and 7.

8 Additionally, allegations of verbal harassment and abuse  
9 fail to state a claim cognizable under 42 U.S.C. § 1983. See  
10 Freeman v. Arpaio, 125 F.3d 732, 738 (9th Cir. 1997) overruled in  
11 part on other grounds by Shakur v. Schriro, 514 F.3d 878, 884-85  
12 (9th Cir. 2008); Keenan v. Hall, 83 F.3d 1083, 1092 (9th Cir. 1996),  
13 amended 135 F.3d 1318 (9th Cir. 1998) (disrespectful and assaultive  
14 comments by prison guard not enough to implicate 8th Amendment);  
15 Oltarzewski v. Ruggiero, 830 F.2d 136, 139 (9th Cir. 1987)  
16 (directing vulgar language at prisoner does not state constitutional  
17 claim).

18 II

19 For the reasons set forth above, Plaintiff's complaint is  
20 DISMISSED with prejudice for failure to state a claim. The clerk  
21 shall deny all pending motions as moot and close the file.

22 IT IS SO ORDERED.

23 DATED 06/18/2012

24   
THELTON E. HENDERSON  
United States District Judge

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