

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

TYRONE HURT,

Plaintiff,

v.

GEORGE ZIMMERMAN, et al.,

Defendants.

No. C-12-3139 MMC

**ORDER DISMISSING ACTION;
GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Before the Court is plaintiff Tyrone Hunt's complaint and application to proceed in forma pauperis, both filed June 15, 2012. Having read and considered said filings, the Court rules as follows.

It appearing from plaintiff's application that he lacks funds to pay the initial filing fee, the application to proceed in forma pauperis is hereby GRANTED.

Pursuant to 28 U.S.C. § 1915(e), where, as here, a plaintiff proceeds in forma pauperis, the district court must dismiss the complaint if the court determines the complaint is frivolous or malicious, or that the plaintiff has failed to state a claim upon which relief can be granted. See 28 U.S.C. § 1915(e)(2)(B)(i), (ii).

Here, plaintiff's complaint falls within the category of pleadings identified in § 1915(e)(2)(B)(i) and (ii). Plaintiff alleges no injury to himself, but, rather, alleges that defendant George Zimmerman shot and killed Trayvon Martin and "should therefore, be

1 placed into permanent exile from this Nation, (U.S.A.).” (See Compl. at 2.) Plaintiff fails to
2 allege a cognizable basis for his claim, and no such basis is apparent from the allegations.
3 Moreover, there is no indication plaintiff can cure the deficiency.


4 Accordingly, plaintiff’s complaint is hereby DISMISSED, pursuant to 28 U.S.C.
5 § 1915(e)(2)(B).

6 The Clerk shall close the file.

7 **IT IS SO ORDERED.**

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9 Dated: July 5, 2012


MAXINE M. CHESNEY
United States District Judge

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