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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BILLY DRIVER,
Plaintiff,
v.
SUSAN ILLSTON,
Defendant.

Case No. 13-cv-02508-JST (PR)

ORDER OF DISMISSAL

Plaintiff, an inmate at California State Prison – Los Angeles County, has filed a pro se complaint against United States District Judge Susan Illston.¹ Plaintiff alleges that he had a prior civil rights action in this court assigned to United States District Judge Jeremy Fogel. Plaintiff further alleges that the action was reassigned Judge Illston in September 2011, after which time Judge Illston "began abusing her authority . . . by entering into ex-parte talks with defendants and their counsel." Finally, plaintiff alleges that Judge Illston "wrongfully ignored plaintiff's imminent danger pleas."

A federal court must engage in a preliminary screening of any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. See 28 U.S.C. § 1915A(a). In its review the court must identify any cognizable claims, and dismiss any claims which are frivolous, malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from a defendant who is immune from such relief. See id. at § 1915A(b)(1),(2). Pro se pleadings must be liberally construed. See Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1990).

¹ Plaintiff is granted leave to proceed in forma pauperis in a separate order.

