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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL RODRIGUEZ,
Plaintiff,

No. C-13-80003 MISC EMC

v.

ORDER RE: PRE-FILING REVIEW

ROBIN BARRETT, Field Office Director
U.S. Citizenship & Immigration Services
Defendant(s).

Plaintiff in this case is subject to pre-filing review for all complaints filed in this District pursuant to a January 29, 2009 Order in the case *Rodriguez v. City and County of San Francisco*, No. C-08-05257 MHP (N.D. Cal. Jan. 29, 2009) (Docket No. 14). In that case, the court found that Plaintiff had filed thirteen actions since 2006, and that “nearly all” of the actions concerned the same parties, and the same allegations. *Id.* Plaintiff’s complaints in the various actions were “rambling and incoherent,” but to the extent that the court was able to determine, all concerned the same allegations of medical malpractice and head or eye injury.

The complaint in this case is one page long, alleges no specific facts, and claims only that Plaintiff’s Eighth Amendment rights have been violated. Docket No. 1. Plaintiff has attached forms from the San Francisco Public Defender’s office regarding an application for a “clean slate” program, and a photocopy of Plaintiff’s Roseville Transit senior citizen identification card. While it is not clear that Plaintiff’s claim concerns allegations related to the cases that led him to be subject to pre-filing review, with a complete absence of any factual allegations, it is impossible to make this

1 determination. Further, Plaintiff's complaint fails to comply with Rule 8 of the Federal Rules of
2 Civil Procedure, which requires all claims for relief to provide "a short and plain statement of the
3 claim showing that the pleader is entitled to relief."

4 The Clerk of the Court is therefore directed not to file Plaintiff's complaint in this matter.

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7 IT IS SO ORDERED.

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9 Dated: January 16, 2013



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11 EDWARD M. CHEN
12 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 DANIEL RODRIGUEZ,

5 Plaintiff,

6 v.

7 ROBIN BARRETT et al,

8 Defendant.

Case Number: CV13-80003 EMC

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on January 16, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Daniel Rodriguez
16 155 Hyde Street, Apt. 502
17 San Francisco, CA 94102

Dated: January 16, 2013



Richard W. Wieking, Clerk
By: Betty Lee, Deputy Clerk