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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARIA THERESA MARTINEZ,  
Plaintiff,  
v.  
THE CITY OF BRISBANE, et al.,  
Defendants.

Case No. [17-cv-01025-MEJ](#)  
**ORDER DIRECTING SERVICE**

On February 28, 2017, Plaintiff Maria Theresa Martinez (“Plaintiff”) filed a Complaint and an Application to Proceed In Forma Pauperis. Compl., Dkt. No. 1; Appl., Dkt. No. 3. The Court granted Plaintiff’s Application, and indicated it would screen the Complaint pursuant to 28 U.S.C. § 1915(e)(2) in a separate order. See Order, Dkt. No. 4. The Court now screens the Complaint.

A federal court must engage in a preliminary screening of any complaint filed by a plaintiff proceeding in forma pauperis to ensure the complaint is not frivolous, states a claim, and does not seek monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2). Pro se pleadings must be liberally construed. *Balistreri v. Pacifica Police Dep’t*, 901 F.2d 696, 699 (9th Cir. 1990). Upon review of Plaintiff’s allegations, the Court finds that, liberally construed, Plaintiff has asserted a claim that is not frivolous, states a federal claim, and does not seek relief against an immune defendant. The Clerk of Court shall issue the summons, and the U.S. Marshal for the Northern District of California shall serve, without prepayment of fees, a copy of the Complaint, any amendments or attachments, Plaintiff’s affidavit, and this Order upon Defendants.

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Attached is a letter providing guidance to additional resources for pro se litigants.

**IT IS SO ORDERED.**

Dated: March 7, 2017



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MARIA-ELENA JAMES  
United States Magistrate Judge

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 450 Golden Gate Avenue  
4 San Francisco, CA 94102

5 www.cand.uscourts.gov

6 SUSAN Y. SOONG  
7 CLERK OF COURT

8 GENERAL COURT NUMBER  
9 415-522-2000

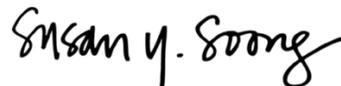
10 To: Pro Se Litigant  
11 Re: Representing Yourself Before This Court

12 Dear Pro Se Litigant:

13 If you are representing yourself in federal court without representation by an attorney,  
14 that is called proceeding “pro se.” The Court has free resources to help you find your way  
15 through the court system and procedures. You may wish to seek assistance from the Legal Help  
16 Center, a free service of the Volunteer Legal Services Program, by calling 415-782-8982, or by  
17 signing up for an appointment on the 15th Floor of the Federal Courthouse in San Francisco, 450  
18 Golden Gate Avenue, San Francisco, California. At the Legal Help Center, you will be able to  
19 speak with an attorney who may be able to provide basic legal help but not representation.

20 More information is available at <http://cand.uscourts.gov/helpcentersf>.

21 There are also online resources available on the court’s webpage. The Pro Se  
22 Handbook, found at <http://www.cand.uscourts.gov/prosehandbook>, has a downloadable version  
23 of the court’s own publication: *Representing Yourself in Federal Court: A Handbook for Pro*  
24 *Se Litigants*. Pay special attention to the **Civil Litigation Packets** tab on the left, which  
25 provides useful fillable forms. The Pro Se Handbook website also has a link to the Court’s  
26 Electronic Case Filing (ECF) website.

27 

28 Susan Y. Soong  
Clerk, United States District Court