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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIGGETT C. PHELPS CROWDER,
Plaintiff,
v.
OFFICE OF PERSONNEL
MANAGEMENT, et al.,
Defendants.

Case No. [23-cv-04412-TSH](#)

ORDER DIRECTING SERVICE

On September 5, 2023, the Court granted Plaintiff Briggett Phelps Crowder’s application to proceed in forma pauperis and screened her original complaint, finding it deficient under 28 U.S.C. § 1915(e). ECF No. 5. After Plaintiff filed a First Amended Complaint (ECF No. 7), the Court again found it deficient and directed her to file a second amended complaint (ECF No. 8). Plaintiff has now filed a Second Amended Complaint (“SAC”).¹ ECF No. 11.

To say that the SAC is not a model of good pleading is an understatement. It is five pages long, handwritten, rambling, and has almost no punctuation. It has accusations against the Oakland police, lengthy run-on sentences, accusations of corruption, and a lot of irrelevant allegations. But it is not hard to see the real claim here: Plaintiff’s husband was a veteran, she is the beneficiary of his benefits, she alleges that she is being denied those benefits, and she is suing the Department of Veterans Affairs, the Federal Employees Retirement Service, and the Office of Personnel Management (Retirement Services). At least at this stage in the case, for purposes of screening to determine if there is something here that should be allowed to proceed, the Court finds that the amended complaint states a claim, is not frivolous, and does not seek monetary relief

¹ Plaintiff inadvertently captioned her most recent pleading as a First Amended Complaint.

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against a defendant who is immune from such relief. *See* 28 U.S.C. § 1915(e)(2). Accordingly, the Clerk of Court shall issue the summons, and the Clerk’s Office or 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, the affidavit, and this order upon Defendants.

IT IS SO ORDERED.

Dated: November 14, 2023


THOMAS S. HIXSON
United States Magistrate Judge