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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FAYE BACK,
Plaintiff,
v.
AMERICAN RED CROSS, et al.,
Defendants.

Case No. [4:17-cv-02225-KAW](#)

**ORDER DISMISSING COMPLAINT
WITH LEAVE TO AMEND; ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE TO 12/19/17**

Re: Dkt. No. 1

The Court has received plaintiff's complaint and application to proceed *in forma pauperis*, both filed in this Court on April 20, 2017. The Court may authorize a plaintiff to file an action in federal court without prepayment of fees or security if the plaintiff submits an affidavit showing that he or she is unable to pay such fees or give security therefor. 28 U.S.C. § 1915(a). The *in forma pauperis* statute also provides that the Court shall dismiss the case if at any time the Court determines that the allegation of poverty is untrue, or that the action (1) is frivolous or malicious, (2) fails to state a claim on which relief may be granted; or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

It is impossible to discern from Plaintiff's complaint any of the essential details of the events that triggered her lawsuit, or the legal theories under which she seeks relief. Plaintiff has failed to set forth "a short and plain statement of the claim showing that the pleader is entitled to relief" as required by Rule 8 of the Federal Rules of Civil Procedure. Furthermore, Plaintiff has named parties as defendants who do not appear in the caption and vice versa.

Accordingly, pursuant to its authority under 28 U.S.C. § 1915(e)(2), the Court hereby dismisses Plaintiff's complaint with leave to amend. Plaintiff shall file an amended complaint no later than **October 4, 2017** or the case may be dismissed with prejudice.

In amending her complaint, Plaintiff may wish to contact the Federal Pro Bono Project's Help Desk for assistance—a free service for pro se litigants—by calling (415) 782-8982. Plaintiff

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may also wish to consult a manual the court has adopted to assist pro se litigants in presenting their case. This manual, and other free information for pro se litigants, is available online at: <http://cand.uscourts.gov/proselitigants>.

Additionally, the case management conference set for October 3, 2017 is continued to **December 19, 2017** at 1:30 p.m. at 1301 Clay Street, Oakland, California. Case management statements are due on or before **December 12, 2017**.

IT IS SO ORDERED.

Dated: September 13, 2017


KANDIS A. WESTMORE
United States Magistrate Judge