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2 UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 CHARLES W. LOGAN,
6 Plaintiff,
7 v.
8 STATE FARM,
9 Defendant.

Case No. [4:17-cv-03031-KAW](#)

**ORDER DISMISSING COMPLAINT
WITH LEAVE TO AMEND**

Re: Dkt. No. 1

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11 The Court has received Plaintiff Charles W. Logan's complaint and application to proceed
12 *in forma pauperis* ("IFP"), both filed in this Court on May 25, 2017. The Court may authorize a
13 plaintiff to file an action in federal court without prepayment of fees or security if the plaintiff
14 submits an affidavit showing that he or she is unable to pay such fees or give security therefor. 28
15 U.S.C. § 1915(a). On June 22, 2017, the Court granted Plaintiff's request to proceed IFP, but
16 decided that the issuance of summons and service would be determined separately.

17 The *in forma pauperis* statute provides that the Court shall dismiss the case if at any time
18 the Court determines that the allegation of poverty is untrue, or that the action (1) is frivolous or
19 malicious, (2) fails to state a claim on which relief may be granted; or (3) seeks monetary relief
20 against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

21 It is impossible to discern from Plaintiff's complaint any of the essential details of the
22 events that triggered Plaintiff's lawsuit, or the legal theories under which he seeks relief.
23 Moreover, it is unclear how the district court has jurisdiction over the subject matter. Thus,
24 Plaintiff has failed to set forth "a short and plain statement of the claim showing that the pleader is
25 entitled to relief" as required by Rule 8 of the Federal Rules of Civil Procedure.

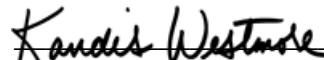
26 Accordingly, pursuant to its authority under 28 U.S.C. § 1915(e)(2), the Court hereby
27 dismisses Plaintiff's complaint with leave to amend. Plaintiff shall file the first amended
28 complaint no later than **August 14, 2017** or the case may be dismissed with prejudice.

1 Additionally, the Case management conference noticed for August 29, 2017 is continued to
2 **October 17, 2017** at 1:30 p.m. at 1301 Clay Street, Oakland, California. The case management
3 conference statement is due by **October 10, 2017**.

4 In amending his complaint, Plaintiff may wish to contact the Federal Pro Bono Project's
5 Help Desk for assistance—a free service for pro se litigants—by calling (415) 782-8982 to make
6 an appointment. Plaintiff may also wish to consult a manual the court has adopted to assist pro se
7 litigants in presenting their case. This manual, and other free information for pro se litigants, is
8 available online at: <http://cand.uscourts.gov/proselitigants>.

9 IT IS SO ORDERED.

10 Dated: July 27, 2017

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12 KANDIS A. WESTMORE
13 United States Magistrate Judge
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