

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6

7  
8 A MARIE WILSON,  
9 Plaintiff,

10 v.

11 TOM-LIU FAMILY INVESTMENTS LLC,  
12 Defendant.

Case No. 19-cv-05698-KAW

**ORDER GRANTING PLAINTIFF'S  
APPLICATION TO PROCEED IN  
FORMA PAUPERIS; REPORT AND  
RECOMMENDATION TO DISMISS  
CASE; ORDER REASSIGNING CASE  
TO A DISTRICT JUDGE**

Re: Dkt. No. 6

13  
14 On September 10, 2019, Plaintiff A Marie Wilson filed a “Complaint Request for  
15 Injunction” against Defendant Tom-Liu Family Investments LLC. (Compl., Dkt. No. 1.) Plaintiff  
16 alleged violations of the Federal Fair Housing Act, asserting that Defendant was trying to evict  
17 Plaintiff due to racial discrimination. (*See* Compl. at 3; Wilson Affidavit ¶ 4, Dkt. No. 3.)  
18 Plaintiff also filed an application to proceed in forma pauperis. (IFP App., Dkt. No. 2.)

19 On September 19, 2019, Plaintiff filed a “Request for Dismissal of Injunction,” stating that  
20 she “would like to file a motion to dissolve Injunction. Case No. 19-cv-05698 KAW.” (Dkt. No.  
21 6.) The dismissal appeared to be based on Plaintiff having prevailed in state court on the eviction  
22 matter. (*Id.*, Exh. A.) On September 25, 2019, Plaintiff filed a declination to magistrate judge  
23 jurisdiction. (Dkt. No. 7.)

24 Accordingly, the Court GRANTS Plaintiff’s application to proceed in forma pauperis, and  
25 REASSIGNS the case to a district judge with the recommendation that the case be dismissed.  
26 Based on Plaintiff’s September 19, 2019 request for dismissal, it appears Plaintiff is attempting to  
27 dismiss the instant case, which she had filed as a “Complaint Request for Injunction.” The  
28 September 19, 2019 request dismissal also refers directly to the instant case, in requesting that the

1 injunction be “dissolve[d].” (Dkt. No. 6 at 1.) No injunction was issued, however, and Plaintiff  
2 has now prevailed in the unlawful detainer action.

3 Any party may file objections to this report and recommendation with the district judge  
4 within 14 days of being served with a copy. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); N.D.  
5 Civil L.R. 72-3. The parties are advised that failure to file objections within the specified time  
6 may waive the right to appeal the district court’s order. *IBEW Local 595 Trust Funds v. ACS*  
7 *Controls Corp.*, No. C-10-5568, 2011 WL 1496056, at \*3 (N.D. Cal. Apr. 20, 2011).

8 IT IS SO ORDERED.

9 Dated: October 7, 2019

10   
11 KANDIS A. WESTMORE  
12 United States Magistrate Judge

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28