

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NGOC LAM CHE,
Plaintiff,
v.
FR WESTGATE MALL LLC,
Defendant.

Case No.16-cv-00482-NC

ORDER OF SERVICE

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 Ngoc Lam Che's allegations, the Court finds that, liberally construed, Ngoc Lam Che has stated a claim that is not frivolous, states a federal claim, and does not seek relief against an immune defendant.

IT IS SO ORDERED.

Dated: January 29, 2016


NATHANAEL M. COUSINS
United States Magistrate Judge

Case No.16-cv-00482-NC

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**CONSENT OR DECLINATION TO
MAGISTRATE JUDGE
JURISDICTION**

INSTRUCTIONS: Please indicate below by checking one of the two boxes whether you (if you are the party) or the party you represent (if you are an attorney in the case) choose(s) to consent or decline magistrate judge jurisdiction in this matter. Sign this form below your selection.

Consent to Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment. I understand that appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

OR

Decline Magistrate Judge Jurisdiction

In accordance with the provisions of 28 U.S.C. § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case and I hereby request that this case be reassigned to a United States district judge.

DATE:

NAME:
COUNSEL FOR:
(OR "PRO SE:)

Signature