

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

GRACE L. SANDOVAL,

Plaintiff,

vs.

JAMILLAH BOBAL,

Defendant.

Case No. 10cv1392 BTM (BLM)

**ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS;**

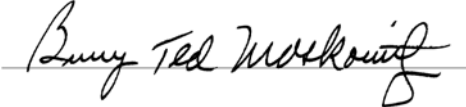
[Doc. 2]

**DENYING AS MOOT REQUEST
FOR APPOINTMENT OF
COUNSEL;**
[Doc. 3]

**DISMISSING COMPLAINT
WITHOUT PREJUDICE**

Plaintiff Grace L. Sandoval, proceeding *pro se*, has filed a complaint [Doc. 1], along with a Motion to Proceed in Forma Pauperis (“IFP”) [Doc. 2] and a Request for Appointment Counsel [Doc. 3]. Based on the information Plaintiff provides, under 28 U.S.C. § 1915(a), the Court **GRANTS** Plaintiff’s IFP motion. The Court is obligated to review a complaint filed IFP *sua sponte* and must dismiss the action if it determines that the complaint is frivolous, malicious, or fails to state a claim for relief. *See* 28 U.S.C. § 1915(e)(2). After careful review, the Court finds that Plaintiff’s complaint is frivolous and void of any plausible claims for relief. The Complaint is but one in a series of frivolous complaints filed by Plaintiff. Because “it is absolutely clear that the deficiencies of the complaint could not be cured by amendment,” the Court **DISMISSES** the complaint **without prejudice and without leave to amend**. *Franklin v. Murphy*, 245 F.2d 1221, 1228 n.9 (9th Cir. 1984). As such, the Court **DENIES AS MOOT** Plaintiff’s Request for Appointment of Counsel. **IT IS SO ORDERED.**

DATED: July 7, 2010


Honorable Barry Ted Moskowitz
United States District Judge