

1 **2. Sua Sponte Screening Per 28 U.S.C. § 1915(e)(2)**

2 The Court is required to review a case filed IFP. 28 U.S.C. § 1915(e). The Court shall
3 dismiss the action if it is frivolous or malicious, fails to state a claim on which relief may be
4 granted, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C.
5 § 1915(e)(2)(B); *see Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998). If the Court
6 dismisses the action, leave to amend may be granted to the extent the pleading can be cured.
7 *Lopez v. Smith*, 203 F.3d 1122, 1127 (9th Cir. 2000).

8 Where other Orders can have headings indicating the cause of action being discussed, this
9 Order cannot—and it's not for a lack of trying. Plaintiff's complaint is a whirlwind of conspiracy
10 theories and fails to meet the pleading standards set forth in Federal Rule of Civil Procedure 8.
11 After wading through the complaint, it seems to the Court that Plaintiff seeks "entitlements and
12 compensat[ion]" based on denials of SSA retirement benefits and reductions of SSI benefits.
13 (Compl. at 2, 3, 6.) But this is a guess at best. And even if the Court ran with its understanding of
14 Plaintiff's request, Plaintiff fails to provide a factual basis for the claim.

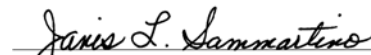
15 The Court dismisses Plaintiff's Complaint for failing to state a claim upon which relief can
16 be granted. *See* 28 U.S.C. § 1915(e)(2). However, Plaintiff will be permitted the opportunity to
17 file an Amended Complaint.

18 **3. CONCLUSION AND ORDER**

19 The Court **GRANTS** Plaintiff's motion to proceed *in forma pauperis*. Plaintiff's
20 Complaint is **DISMISSED** without prejudice for failing to state a claim upon which relief may be
21 granted. Plaintiff is granted fourteen days leave from the date this Order is electronically docketed
22 in which to file a first amended complaint.

23 **IT IS SO ORDERED.**

24 DATED: December 17, 2010

25 
26 Honorable Janis L. Sammartino
27 United States District Judge
28