

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ERNEST PITTS, JR.,

Plaintiff,

v.

**BAKERY AND CONFECTIONERY
UNION AND INDUSTRY
INTERNATIONAL PENSION FUND,**

Defendant.

CIVIL ACTION NO. 5:12-CV-75 (MTT)

ORDER

On April 5, 2012, the Court granted the Plaintiff's Motion to Proceed in Forma Pauperis, but reserved ruling on the issue of frivolity until the Plaintiff submitted an amended complaint which clearly and succinctly set forth the facts and legal authority upon which his claims are based. The Plaintiff submitted his Amended Complaint on April 25, 2012. Although the Plaintiff's Amended Complaint still lacks clarity, a pro se litigant's pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed. *Miller v. Donald*, 541 F.3d 1091, 1100 (11th Cir. 2008) (internal quotations and citation omitted). Accordingly, construed in the light most favorable to the Plaintiff, the Court cannot at this early stage of the proceedings say that the Plaintiff's Amended Complaint lacks any arguable basis in law or fact. The Plaintiff's claims pass muster under 28 U.S.C. § 1915(e)(2)(B) and shall go forward.

SO ORDERED, this 2nd day of May, 2012.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT