

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KENNY BEANE,

Plaintiff,

vs.

No. 13-0253-DRH

TERESA FLELI,

Defendant.

MEMORANDUM and ORDER

HERNDON, Chief Judge:

On March 15, 2013, Kenny Beane, pro se, filed a civil rights suit against Tersa Fleri, Office Manager of the Housing Authority of Jefferson County, Illinois (Doc. 1). Along with his complaint, he filed a motion to proceed *in forma pauperis* and a motion to appoint counsel (Docs. 2 & 3). After reviewing the pleadings, the Court cannot glean from the complaint any discernible cause of action against Fleri. In fact, his complaint is unintelligible. Specifically, the complaint states: “this housing Authority of Jefferson County [sic] is inhumane why it says no in take away my right to litigate and I of vindicate my constitutional right because of the negligent conduct of the defendants my rights are nolmal [sic] everyday peoples [sic] living skills you can die people take your rights to eat food or right to protect yourself I have constitutional right to challenge this lease that it is inhumane.” (Doc. 1, p. 5). These allegations do not reference any facts from which the Court could infer that

defendant is liable of anything. *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S.Ct. 1937, 149 (2009). The Court cannot find a claim here, much less a plausible one. For failure to state a claim upon which relief can be granted, the Court **DISMISSES without prejudice** this complaint. Fed.R.Civ.P. 12(b)(6). If Beane is able to articulate a cognizable claim, he may refile. The Court closes the case.

IT IS SO ORDERED.

Signed this 19th day of March, 2013.

 Digitally signed by
David R. Herndon
Date: 2013.03.19
12:11:05 -05'00'



**Chief Judge
United States District Court**