

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

HOMER E. HOSKINS,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:15-cv-00339-TWP-DML
)	
BOBBY,)	
)	
Defendant.)	

**Entry Denying Motion to Proceed *In Forma Pauperis*, Dismissing Complaint,
Warning Plaintiff to Stop Filing Frivolous Claims, and
Directing Entry of Final Judgment**

I. Motion to proceed *in forma pauperis*

The plaintiff’s motion to proceed *in forma pauperis* [dkt. 2] is **denied** because the information contained in the motion is illegible or incomplete. The plaintiff continues to owe the \$400.00 filing fee. Similarly, motion to appoint counsel [dkt 3] is **denied as premature**. The filing fee has not been paid, the complaint has not been screened, and the defendants have not been served. In addition, the Seventh Circuit has found that “until the defendants respond to the complaint, the plaintiff’s need for assistance of counsel . . . cannot be gauged.” *Kadamovas v. Stevens*, 706 F.3d 843, 845 (7th Cir. 2013).

II. Screening of Complaint

The complaint is subject to the screening requirement of 28 U.S.C. § 1915(e)(2)(B). This statute requires the Court to dismiss a complaint or claim within a complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.

The complaint alleges that the defendant, Bobby, an apparent police employee, would not let him file charges regarding his allegations that someone removed his property from his room. The plaintiff seeks 10 million dollars and to have Bobby imprisoned for life. The complaint fails to state a claim upon which relief can be granted. The Seventh Circuit does not recognize a claim for “inadequate police investigatory work” in the absence of some other recognized constitutional violation. *Lyons v. Adams*, 257 F. Supp. 2d 1125, 1135 (N.D. Ill. 2003) (citing *Jacobson v. National R.R. Passenger Corp.*, No. 97 C 6012, 1999 WL 1101299, at *10 (N.D.Ill. Nov.29, 1999); *Washington v. Godinez*, No. 95 C 7612, 1996 WL 599055, at *3 (N.D.Ill. Oct.17, 1996) (“[T]here is no constitutional right to an investigation by a police officer unless another recognized constitutional right is involved.”)).

This complaint warrants no further judicial time. It is one of 34 cases and counting that the plaintiff has filed within the past week. The action is **dismissed** for failure to state a claim upon which relief can be granted. Judgment consistent with this Entry shall now issue.


The plaintiff is abusing the Court’s limited resources and if he fails to stop filing frivolous claims and claims that lack federal jurisdiction, the Court will issue appropriate sanctions up to an including an order barring the plaintiff from future filings in this Court.

IT IS SO ORDERED.

Date:3/3/2015

Distribution:

HOMER E. HOSKINS
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Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana