

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PATRICK T. FIELDS,

Plaintiff,

vs.

Case No. 12-CV-12214
HON. GEORGE CARAM STEEH

BEVERLY A. BROWN, et al.,

Defendants.

**ORDER GRANTING PLAINTIFF IN FORMA PAUPERIS
STATUS AND DISMISSING CASE PURSUANT TO
28 U.S.C. § 1915(e)(2)(B)(i)**

Plaintiff Patrick T. Fields, proceeding pro se, has filed suit against his father's estate and its executrix. Based upon the information in the Application to Proceed in Forma Pauperis, the court grants plaintiff in forma pauperis status pursuant to 28 U.S.C. § 1915. For the reasons that follow, however, the court dismisses plaintiff's complaint as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Plaintiff alleges that his civil rights were violated when his parents' estate was subjected to the control of an executrix as ordered in his father's will. The defendant was named executrix of the estate of plaintiff's father, John Samuel Fields, by the Probate Court of Perry County, Alabama, on December 14, 1999 (Exhibit A to Complaint, Letters Testamentary). However, there does not appear to be anything irregular about the documents attached to plaintiff's complaint. (Exhibit B is a copy of John Samuel Fields' Marriage Record). Plaintiff does not allege sufficient facts to make out any legally cognizable action over which this court might have jurisdiction. The court, therefore,

finds that plaintiff's claims are frivolous because they lack an arguable basis in law or fact.

IT IS HEREBY ORDERED that plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

Based on the preceding order, this court certifies that any appeal from this decision would be frivolous, not in good faith and, therefore, pursuant to 28 U.S.C. § 1915(a)(3), may not be taken in forma pauperis.

So ordered.

Dated: June 5, 2012

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on June 5, 2012, by electronic and/or ordinary mail and also to Patrick T Fields, P.O. Box 3496, Highland Park, MI 48203.

s/Barbara Radke
Deputy Clerk