

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

JAMES ROBERT ROSS,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF JACKSON, MISSOURI, et al.,)
)
 Defendants.)

No. 1:15-CV-106-SNLJ

MEMORANDUM AND ORDER

This matter is before the Court upon review of plaintiff's complaint [Doc. #1] under 28 U.S.C. § 1915A.

Pursuant to 28 U.S.C. § 1915A, the "court shall review before docketing if feasible or, in any event, as soon as practicable after docketing, a complaint in a civil action in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity." The Court is to dismiss the complaint, or any portion, if it is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief.

In reviewing a pro se complaint under § 1915A, the Court must give the complaint the benefit of a liberal construction. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). The Court must also weigh all factual allegations in favor of the plaintiff, unless the facts alleged are clearly baseless. *Denton v. Hernandez*, 504 U.S. 25 (1992).

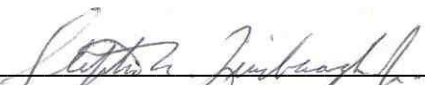
A review of the complaint indicates that plaintiff's 42 U.S.C. § 1983 claims survive frivolity review and should not be dismissed at this time.¹

In accordance with the foregoing,

IT IS HEREBY ORDERED that, pursuant to this Court's differentiated case management system, this case is assigned to Track 5B (prisoner actions-standard).

IT IS FURTHER ORDERED that defendants shall reply to the complaint within the time provided by the applicable provisions of Rule 12(a) of the Federal Rules of Civil Procedure. See 42 U.S.C. § 1997e(g)(2).

Dated this 9th day of June, 2015.



UNITED STATES DISTRICT JUDGE

¹The Court notes that because plaintiff paid the filing fee, he is responsible for serving defendants. See Fed. R. Civ. P. 4(m).