

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

OCT 31 2014

Clerk, U.S. District Court  
District Of Montana  
Missoula

JEREMY RASKIEWICZ,

Plaintiff,

vs.

UNITED STATES,

Defendants.

CV 14-259-M-DLC

ORDER


United States Magistrate Judge Jeremiah Lynch entered his Findings and Recommendation on October 23, 2014, recommending denial of Raskiewicz's motion to proceed in forma pauperis. Judge Lynch recommends denial based on his findings that Raskiewicz's application is insufficient due to his failure to file a copy of his inmate trust account statement as required by 28 U.S.C. § 1915(a)(2) and that Raskiewicz's allegations are frivolous. *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368 (9th Cir. 1987). "A district court may deny leave to proceed in forma pauperis at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Id.* At 1370. Raskiewicz is not entitled to a ten-day period to object. *See Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998) (per curiam). The Court adopts Judge Lynch's

Findings and Recommendation in full.

Raskiewicz alleges that he is exempt from incarceration because he has a United States Army permanent contract with the Central Intelligence Agency component. This claim does not raise any statutory or constitutional authority on which relief may be granted. Raskiewicz has a history of filing repetitive, frivolous lawsuits. It appears from the face of the proposed Complaint that this action is also frivolous.

IT IS ORDERED that Judge Lynch's Findings and Recommendation (Doc. 3) are ADOPTED IN FULL. Raskiewicz's motion to proceed in forma pauperis (Doc. 2) is DENIED. The Clerk of Court shall enter judgment in favor of Defendants and against Plaintiff. This case is CLOSED.

Dated this 31<sup>st</sup> day of October, 2014.

  
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Dana L. Christensen, Chief Judge  
United States District Court