

1 28 U.S.C. § 1915(e) prior to permitting Plaintiff to proceed with his claim. *See Dkt. #10.* Plaintiff
2 subsequently filed the present request for the court to enter an of out-of-court settlement. *See Dkt.*
3 *#11.* Plaintiff alleges that the U.S. Marshal’s Service in Las Vegas verbally agreed to settle the
4 matter for \$500,000.00, which Plaintiff “upped to \$1,000,000.00 for slow pay out.” *See Dkt. #11.*

5 Rule 12(f) of the Federal Rules of Civil Procedure provides that “[t]he Court may strike
6 from a filing any insufficient defense or any redundant, immaterial, impertinent, or scandalous
7 matter.” Generally, motions to strike allegedly redundant, immaterial, impertinent, or scandalous
8 matter are not favored. *Id.* Furthermore, a matter will not be stricken unless it is clear it can have
9 no possible bearing upon the subject matter of the litigation. *Id.* If there is any doubt as to whether
10 under any contingency the matter may raise an issue, the motion may be denied. *Id.*

11 Here, Plaintiff’s request is premature in this instance because his second amended
12 complaint has not yet been screened by the Court. Because Plaintiff has not sufficiently plead a
13 cause of action on which he has been permitted to proceed, it is unclear whether Plaintiff’s alleged
14 “settlement agreement” is applicable to these proceedings. The Court therefore must strike
15 Plaintiff’s motion as immaterial at this time. Accordingly,

16 **IT IS HEREBY ORDERED** that Plaintiff’s Request for Court Entry of Out-of-Court
17 Settlement (#11) is **denied**.

18 **IT IS FURTHER ORDERED** that the Clerk of the Court shall **strike** Plaintiff’s Request
19 for Court Entry of Out-of-Court Settlement from the record.

20 DATED this 19th day of September, 2014.

21
22
23 
24 GEORGE FOLEY, JR.
25 United States Magistrate Judge
26
27
28